

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00001

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

He be awarded the Airman's Medal (AmnM) instead of the Air Force Commendation Medal for saving the life of an active duty dependent.

APPLICANT CONTENDS THAT:

His actions to save the life of a young boy should warrant the award of the Airman's Medal. While on a fishing trip at Beale AFB, CA, he saved the life of a young boy who was the dependent of a servicemember and attempted to save the life of the servicemember but was unsuccessful.

In support of his request, the applicant provides a four-page supporting statement from the deceased service member's wife, and copies of his DD 214, *Certificate of Release or Discharge from Active Duty*; his award citation for the Air Force Commendation Medal; newspaper clippings regarding the incident and a similar incident; email traffic regarding his attempt to upgrade the medal; and a letter from his Congressman in support of his request.

The applicant's complete submission, with attachments, is at Exhibit A.

STATEMENT OF FACTS:

According to the applicant's military personnel records, he served in the Air Force Reserve during the matter under review.

On 20 Sep 72, the applicant was awarded the Air Force Commendation Medal (AFCM) for outstanding achievement for his efforts to rescue a fellow Air Force member and his young son from drowning on 29 Apr 72.

On 1 Oct 72, the applicant was honorably discharged from the Air Force Reserve in the grade of captain (O-4).

The remaining relevant facts pertaining to this application are contained in the letters prepared by the appropriate offices of the Air Force, which are at Exhibits C and E.

AIR FORCE EVALUATION:

AFPC/DPSIDR recommends the Board consider the merits of the applicant's request for award of the Airman's Medal. The AmnM is awarded to any member of the armed forces of the United States or of a friendly nation who, while serving in any capacity, has distinguished themselves by a heroic act, usually at the voluntary risk of life but not involving combat. The saving of a life or the success of the voluntary heroic act is not essential. In accordance with AFI 36-3803, *Air Force Awards and Decorations Program*, the Secretary of the Air Force Personnel Council (SAFPC) is the approval authority for the AmnM and determines, upon approval, entitlement to ten percent increase in retirement pay when awarded for "extraordinary heroism." Under the FY 1996 National Defense Authorization Act (NDAA), Section 526, a new recommendation is needed for upgrade of the applicant's medal. However, the applicant has not submitted a new recommendation, has not exhausted all administrative avenues, and the recommendation package is incomplete.

A complete copy of the AFPC/DPSIDR evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 9 Apr 12 for review and comment within 30 days. As of this date, no response has been received by this office (Exhibit D).

ADDITIONAL AIR FORCE EVALUATION:

SAF/MRBP recommends denial, indicating they are unable to ascertain the applicant's level of risk and courage/heroism based on the documentation provided and available at the time the applicant was awarded the AFCM. While the applicant provides a supporting statement from the decedent's widow, she was not an eye witness and the statement she provided does not verify that the applicant's actions were at "voluntary risk" of his life. Based on lack of additional documentation that was

available at the time of the recommendation for the AFCM, a determination of whether the applicant's efforts met the criteria for award of the Airman's Medal cannot be made. A complete copy of the SAF/MRBP evaluation is at Exhibit E.

APPLICANT'S REVIEW OF ADDITIONAL AIR FORCE EVALUATION:

The applicant submitted a copy of a supporting statement from an eye witness of the events in question. The witness indicated that he was a close friend of the applicant and that he was an active participant in the events on that day. He indicated that the applicant did indeed perform the heroic acts mentioned in his application and as a result, saved the life of a young boy.

The applicant's complete response, with attachment, is at Exhibit G.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
 2. The application was not timely filed; however, it is in the interest of justice to excuse the failure to timely file.
 3. Sufficient relevant evidence has been presented to demonstrate the existence of an error or injustice. The applicant contends that his actions to save the life of a young boy and attempt to save the life of a fellow service member should warrant the award of the Airman's Medal. After a thorough review of the evidence of record and the applicant's complete submission, we believe a preponderance of the evidence supports corrective action. While we note the comments of SAF/MRBP indicating that there is insufficient evidence to conclude the applicant's life-saving efforts met the criteria for the AmnM, we find the supporting statement provided by the applicant as part of his rebuttal sufficient to conclude that his efforts constituted a heroic act worthy of the requested decoration. Therefore, we recommend his records be corrected as indicated below.
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THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to the APPLICANT be corrected to show that he was awarded the Airman's Medal for his heroic efforts to save the lives of a fellow service member and his young son on 20 Sep 72.

The following members of the Board considered AFBCMR Docket Number BC-2012-00001 in Executive Session on 17 Jan 13, under the provisions of AFI 36-2603:

Chair
Member
Member

The following documentary evidence was considered:

Exhibit A. DD Form 149, dated, 9 Dec 11, w/atchs.
Exhibit C. Letter, AFPC/DPSIDR, dated, 9 Apr 12.
Exhibit D. Letter, SAF/MRBR, dated, 17 Apr 12.
Exhibit E. Letter, SAF/MRBP, dated, 27 Nov 12.
Exhibit F. Letter, AFBCMR, dated, 4 Dec 12.
Exhibit G. Letter, Applicant, dated, 20 Dec 12.

Panel Chair