

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 97-02928

COUNSEL: NONE

FEB 5 1999

HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

He be awarded the Silver Star (SS), the Distinguished Flying Cross (DFC), and the Air Medal, 19 Oak Leaf Cluster (AM 19 OLC).

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APPLICANT CONTENDS THAT:

Although he was told by the commander that he would receive the DFC and SS, he was medically evacuated out of the area and the awards never followed him to his next destination. As a result, he is the only member of the squadron that did not receive the DFC. He was awarded the AM, 19 OLC, as indicated on his 1971 Airman Performance Report (APR); however, the award was never listed on his DD Form 214,

The applicant's complete submission is attached at Exhibit A.

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STATEMENT OF FACTS:

On 25 May 1965, the applicant reenlisted in the Regular Air Force for a period of 4 years.

The applicant served in Vietnam during the period 26 February 1965 to 8 November 1965,

The applicant was awarded the Republic of Vietnam Campaign Medal; the Vietnam Service Medal, with 3 bronze service stars; and the Republic of Vietnam Gallantry Cross, with Palm device.

The applicant was retired for length of service on 1 October 1973 in the grade of master sergeant.

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AIR FORCE EVALUATION:

The Recognition Programs Branch, AFPC/DPPRA, reviewed this application and states the following:

a. There is no indication the applicant was ever recommended for the SS or DFC. Furthermore, the applicant has not attached a recommendation from a supervisor, commander or person with first-hand knowledge of his accomplishments/actions. Although the applicant provided a statement from his [then] commander [in Vietnam], there is no recommendation for a decoration, and the only incident highlighted describes the applicant assisting an injured Vietnamese officer and ensuring he got to a hospital. The DFC is based on aerial achievement, and the SS is awarded for gallantry in action, and his actions of 8 November 1965 do not meet these criteria.

b. The applicant's records only contain orders for award of the Air Medal with 16 Oak Leaf Clusters (**AM**, 16 OLC). There is no documentation to show that he received more than 16 Oak Leaf Clusters, and he did not furnish any documentation to support this claim.

Therefore, they recommend denial of the applicant's requests.

A complete copy of the Air Force evaluation is attached at Exhibit C.

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**APPLICANT'S REVIEW OF AIR FORCE EVALUATION:**

The applicant reviewed the Air Force evaluation and states that he could care less about the **AM**, 19 OLC. However, in regard to the DFC and SS, he states that upon speaking with his former commander regarding a claim with the Department of Veterans Affairs (DVA), the commander asked him if he had received his DFC and SS.

The applicant's complete response is attached at Exhibit E.

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**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. Insufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice. We took notice of the applicant's complete submission in judging the merits of the case; however, we agree with the opinion and recommendation of the Air Force and adopt their rationale as the basis for our conclusion that the applicant has not been the victim of an error or injustice. Therefore, in the absence of evidence to the contrary, we find no compelling basis to recommend granting the relief sought in this application.

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THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of probable material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

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The following members of the Board considered this application in Executive Session on 17 December 1998, under the provisions of AFI 36-2603:

Mr. Vaughn E. Schlunz, Panel Chair  
Mr. Edward C. Koenig, 11, Member  
Mr. Kenneth L. Reinertson, Member  
Mr. Phillip E. Horton, Examiner (without vote)

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 5 Mar 97, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPPRA, dated 4 Dec 97.
- Exhibit D. Letter, AFBCMR, dated 27 Jan 98.

  
VAUGHN E. SCHLUNZ  
Panel Chair