

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 98-00940

NOV 27 1998

COUNSEL: NONE

HEARING DESIRED: NOT INDICATED

Applicant requests that he be awarded the award of the Purple Heart. Applicant's submission is at Exhibit A.

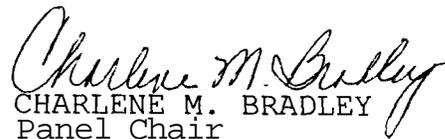
The appropriate Air Force office evaluated applicant's request and provided an advisory opinion to the Board recommending the application be denied (Exhibit C). The advisory opinion was forwarded to the applicant for review and response (Exhibit D). As of this date, no response has been received by this office.

After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of error or injustice to warrant corrective action. The facts and opinions stated in the advisory opinion appear to be based on the evidence of record and have not been rebutted by applicant. Absent persuasive evidence applicant was denied rights to which entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

Accordingly, applicant's request is denied.

The Board staff is directed to inform applicant of this decision. Applicant should also be informed that this decision is final and will only be reconsidered upon the presentation of new relevant evidence which was not reasonably available at the time the application was filed.

Members of the Board Ms. Charlene M. Bradley, Mr. Terry A. Yonkers, and Mr. Joseph G. Diamond considered this application on 10 November 1998, in accordance with the provisions of Air Force Instruction 36-2603 and the governing statute, 10 U.S.C. 1552.


CHARLENE M. BRADLEY
Panel Chair

Exhibits:

- A. Applicant's DD Form 149
- B. Available Master Personnel Records
- C. Advisory Opinion
- D. AFBCMR Ltr Forwarding Advisory Opinion



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

MEMORANDUM FOR AFBCMR

JUN 01 1998

FROM: HQ AFPC/DPPPRA
550 C Street West Ste 12
Randolph AFB TX 78150-4714

SUBJECT: Application for Correction of Military Records (DD Form 149) -


We have carefully reviewed the complete case file and records as requested by your 30 April 1998 letter for consideration of entitlement to the Purple Heart (PH) on the above named applicant. Our comments are listed below.

We recommend denial of applicant's most recent request (DD Form 149, dated 28 March 1998) for award of the PH. To be awarded the PH, a member must provide documentation to support he was wounded as a direct result of enemy action and must have received medical treatment by medical personnel.

In May 1998, our office reviewed the applicants records in response to his request for the PH. His records were reviewed by the Purple Heart Review Board (PHRB) consisting of review by two Majors and one Chief Master Sergeant and the reviewing authority in the grade of Colonel. The PHRB determined on 29 May 1998, the applicant did not have sufficient evidence to approve the PH.

There were no medical documents in his official records prior to 1977 and the only supporting document he had provided was a copy of an Airman's Performance Report which stated he had been hit with spent shrapnel. It did not state it was the direct result of the enemy.

With the above information, we must recommend denial of his request for the PH. If we can be of further assistance, please do not hesitate to contact us at DSN 487-5880/5889.


SSgt, USAF
NCOIC, Purple Heart Review Board
Recognition Programs Branch

9800940