

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

FEB 24 1999

IN THE MATTER OF:

DOCKET NUMBER: 98-01710

[REDACTED]

COUNSEL: NONE

[REDACTED]

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

1. He be awarded an additional oak leaf cluster (OLC) to the Distinguished Flying Cross (DFC with 1OLC) and one or two additional oak leaf clusters to the Air Medal (AM with 5 or 6 OLCs) .
2. He would like two complete sets of his awards and decorations.

The request for award of the Asiatic-Pacific Campaign Medal, with 3 oak leaf clusters, the American Campaign Medal and world War II Victory Medal has been administratively corrected. Hence, no action is required by this Board.

APPLICANT CONTENDS THAT:

Due to changes in operations, officers and ensuing turmoil, awards were not documented. Combat medals were not awarded beyond 12 November 1944, whereas 18 to 20 more combat missions were flown through 23 January 1945. He flew 40 combat missions during world War II.

In support of his request, applicant submits copies of documents associated with the issues cited in his contentions. These documents are appended at Exhibit A.

STATEMENT OF FACTS:

On 15 January 1944, the applicant was appointed a second lieutenant Army of the United States Air Corps (AUS AC) and ordered to active duty. He performed duties as a navigator in the Air Corps and was promoted to the grade of first lieutenant, effective and with a date of rank of 3 November 1944. He was released from active duty on 16 November 1945 and honorably discharged in the grade of first lieutenant. He had completed a total of 1 year and 25 days of continental service, and 9 months and 6 days of foreign service.

The relevant facts pertaining to this application are contained in the letter prepared by the appropriate office of the Air Force. Accordingly, there is no need to recite these facts in this Record of Proceedings.

AIR FORCE EVALUATION:

The Recognition Programs Branch, HQ AFPC/DPPRA, stated that the applicant served on active duty 15 January 1944 - 16 November 1945, with overseas duty in the Asiatic-Pacific Theater 24 June 1944 - 5 February 1945. His Report of Separation reflects award of the Distinguished Flying Cross, the Air Medal with 4 Oak Leaf Clusters, and the Asiatic-Pacific Campaign Medal with 1 Bronze Service Star.

DPPRA administratively corrected the applicant's records to reflect award of the Asiatic-Pacific Campaign Medal with 3 Bronze Service Stars, the American Campaign Medal, and the World War II Victory Medal.

DPPRA stated that each veteran is authorized to receive one free set of his awards and decorations. Applicant has been sent a complete set of his awards and decorations, with a list of commercial sources to obtain additional sets.

DPPRA indicated that the applicant's records reflect accomplishment of 40 combat flight missions: Jun 44-Nov 44 = 17; Nov 44-Jan 45 = 17; and Jan 45-Feb 45 = 6.

As to the applicant's contention that he did not receive any decorations for flights performed after Dec 44, DPPRA indicated that no documentation has been provided showing any recommendations were written or submitted into official channels after that time. After mid-1944, it was required that a written recommendation for decorations be submitted into official channels within two years, and awarded within three years of the act, accomplishment or service performed. The applicant's commander did recommend him for pilot training on 26 Jan 45.

DPPRA stated that the applicant was discharged on 16 Nov 45 and has not provided any documentation showing he made any effort to resolve the issue of additional oak leaf clusters for his DFC or **AM** prior to this application. At this late date, there are no longer any official records of local policies, no way to connect his {then} commander, or ascertain any facts other than those in his records. DPPRA recommended disapproval of the applicant's request for award of additional oak leaf clusters to his DFC and **AM**. A complete copy of this evaluation is appended at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

He stated that he cannot be held responsible for changes in administrative personnel or priorities during war time that may have caused the requested awards to be overlooked. Documentation provided show that the Distinguished Flying Cross (DFC) and Air Medals (**AMs**) were not awarded after 22 missions. A request was made in 1945 for combat awards but the only additional medal given was the Asiatic Pacific Campaign Medal, whereas the DFC and **AM** oak leaf clusters apparently were not reviewed. He accepted this in good faith and if a policy change was made for Air Offensive Japan combat missions, it would be common knowledge and documented to the Air Force. A policy change would also indicate no DFC or **AM** were awarded during 12 Nov 44 through 23 Jan 45, a most crucial period during WW 11. A complete copy of this response is appended at Exhibit E.

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. We do not doubt the outstanding contributions the applicant made during the course of his career. However, no documentary evidence has been presented to indicate that recommendations for award of additional oak leaf clusters (OLCs) to the Distinguished Flying Cross (DFC) and the Air Medal (**AM**) were officially submitted. In the absence of documentary evidence substantiating that the applicant was recommended for the requested awards and that such a recommendation was approved, we do not find the evidence provided establishes that the applicant has been the victim of an error or injustice. In view of the above, we agree with the opinion and recommendation of the Air Force office of primary responsibility and adopt their rationale as our findings in the case. Accordingly, the applicant's request for additional OLCs to the DFC and **AM** are not favorably considered.
 4. We noted that the appropriate Air Force office (HQ AFPC/DPPRA) has forwarded the Asiatic-Pacific Campaign Medal, with 3 OLCs, the American Campaign Medal and World War II Victory Medal to the applicant. Inasmuch as HQ AFPC/DPPRA has taken action regarding the above mentioned awards and has provided the authorized free set of awards and decorations, there was no basis for the Board to address these issues.
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THE BOARD DETERMINES THAT:

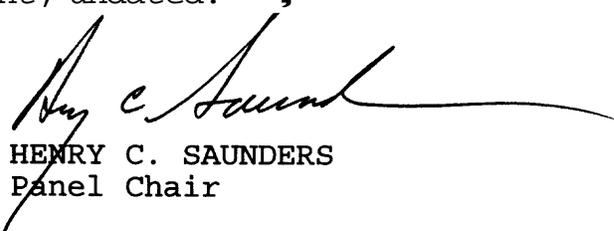
The applicant be notified that the evidence presented did not demonstrate the existence of probable material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence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

The following members of the Board considered this application in Executive Session on 10 December 1998, under the provisions of AFI 36-2603:

Mr. Henry C. Saunders, Panel Chair
Ms. Ann L. Heidig, Member
Ms. Sophie A. Clark, Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 4 Jun 98, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, HQ AFPC/DPPRA, dated 8 Jul 98.
- Exhibit D. Letter, SAF/MIBR, dated 17 Aug 98.
- Exhibit E. Letter from applicant, undated.



HENRY C. SAUNDERS
Panel Chair