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## UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

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DOCKET NUMBER: BC-2018-00897

COUNSEL: Work-Product

HEARING REQUESTED: NO

### APPLICANT'S REQUEST

He be awarded the Air Medals (AMs) and Distinguished Flying Cross (DFC) that he earned with the *Wor...* and *Wor...* Tactical Electronic Warfare Squadrons (TEWS), *Work-Product* AB, Vietnam.

### APPLICANT'S CONTENTIONS

The omission in his record is in error and an injustice. His combat unit, the *Wor...* TEWS, awarded AMs for every 25 missions flown and regularly awarded the DFC. Records show that he flew over 100 Top Secret combat missions. These records were submitted for each pilot that he knew in his unit and they all received AMs. After returning from his tour in Vietnam, knowing that he had qualified for an AM (with Oak Leaf Clusters) as well as a DFC, he tried to locate his records, but to no avail. He does have an Officer Evaluation Report for that time period, which shows him having flown 35 combat missions and accumulating 175 combat hours. He flew these combat missions under great threat of life and has been trying to get his AMs and DFC since 1974.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is an honorably discharged Air Force captain (0-3). His DD Form 214, *Armed Forces of The United States Report of Transfer or Discharge*, dated 15 Oct 76, credits him with 6 years, 4 months, and 3 days of total active service.

According to AF Form 7, *Airman Military Record*, chronological listing, the applicant was assigned:

- a. On 2 Mar 72, to *Work...* TEWS, *Work-Product* AB, Vietnam
- b. On 14 Jun 72, to Det *W* *Work...* TEWS, *Work-Product* RTAFB, Thailand.
- c. On 31 Aug 72, to *Wor...* TEWS, *Work-Product*, RTAFB, Thailand.

On 28 Sep 72, AF Form 77, *Company Grade Officer Effectiveness Report*, was signed for period of report 16 Oct 71 to 28 Sep 72, and indicates that the applicant had flown 35 combat missions and accumulated 175 hours of combat flying time.

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On 19 Aug 74, according to Operations and Training Division (DOTFF), <sup>Work-...</sup> Bombardment Wing, memorandum, *Combat Mission Verification*, signed by the Chief, Operations and Training Division and provided by the applicant, he was credited with 35 combat sorties and 159.5 combat hours.

On 11 May 16, the AFPC/IG, in response to a Congressional Inquiry, was unable to verify the award of the DFC and the AM. They were able to administratively correct the applicant's record by awarding the Presidential Unit Citation with one Bronze Star, the Vietnam Service Medal with one Bronze Star, and the Republic of Vietnam Gallantry Cross with Palm.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit C.

## APPLICABLE AUTHORITY/GUIDANCE

In accordance with AFMAN 36-2806, *Awards and Memorialization Program*, 10 Jun 19:

Distinguished Flying Cross was established by an act of Act of Congress on 2 July 1926 and is currently awarded pursuant to 10 USC § 9279. The medal is awarded to any persons who, after April 6, 1917, while serving in any capacity with the Air Force, distinguish themselves by heroism or extraordinary achievement while participating in aerial flight. Both heroism and achievement are entirely distinctive, involving operations that are not routine. Awards are made only to recognize single acts of heroism or extraordinary achievement; they are not made in recognition of sustained operational activities against an armed enemy.

The Air Medal was authorized by EO 9158, 11 May 1942, as amended by EO 9242-A, 11 September 1942. The medal is awarded to any person who, while serving in any capacity with the Air Force, distinguishes himself or herself by meritorious achievement while participating in an aerial flight. The medal is not awarded for sustained operational activities and flights.

A complete decorations package must include: A signed recommendation from someone with firsthand knowledge of the act/achievement, preferably from someone within their chain of command at the time of the act/achievement and absent firsthand knowledge, it must include witness statements for individuals with firsthand knowledge; and a detailed narrative justification, a proposed citation and eyewitness statements. The detailed narrative must be signed by the recommending official who must be in the chain of command and have firsthand knowledge.

## AIR FORCE EVALUATION

AFPC/DP3SP recommends denying the application. After a thorough review of the applicant's official military personnel record, to possibly provide administrative relief, they were unable to verify the award of the DFC or AM. The applicant's records, or submission, did not include a nomination, special order, signed certificate or citation for either the DFC and/or AM. The applicant did not provide any documentation to indicate that he was recommended for, or awarded the DFC and/or AM. Absent this documentation, or a complete decorations package for each award sought, they are unable to verify either award.

The complete advisory opinion is at Exhibit C.

## APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 31 Jan 22 for comment (Exhibit D), but has received no response.

### FINDINGS AND CONCLUSION

1. The application was not timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is the victim of an error or injustice. While the Board notes the recommendation of AFPC/DP3SP against correcting the record, the Board finds a preponderance of the evidence substantiates the applicant's contentions in part. Specifically, the applicant has provided a memoranda, *Combat Mission Verification*, dated 19 Aug 74, signed by the Chief, Operations and Training Division, crediting him with 35 combat sorties and 159.5 combat hours and a statement stating that the records were submitted but must have been lost in official channels. In addition, the Board notes the Air Force Historical Research Agency, provided the opinion that the applicant may have met the minimum criteria for award of the Basic Air Medal by flying 35 combat missions. In this regard, the Board finds this evidence sufficient to justify partially granting the applicant's request for award of the Air Medal. However, for the remainder of the applicant's request, the evidence presented did not demonstrate an error or injustice, and the Board therefore finds no basis to recommend granting that portion of the applicant's request. Therefore, the Board recommends correcting the applicant's records as indicated below.

### RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show that he was awarded the Air Medal.

However, regarding the remainder of the applicant's request, the Board recommends informing the applicant the evidence did not demonstrate material error or injustice, and the application will only be reconsidered upon receipt of relevant evidence not already considered by the Board.

### CERTIFICATION

The following quorum of the Board, as defined in Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2018-00897 in Executive Session on 6 Apr 22:

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Panel Chair

Panel Member

Panel Member

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All members voted to correct the record. The panel considered the following:

Exhibit A: Application, DD Form 149, w/atchs, dated 5 Jan 18.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 25 Sep 21.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 31 Jan 22.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.

6/23/2025

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X

Board Operations Manager, AFBCMR

Signed by: *Work-Product*

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