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

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2020-01702

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

### APPLICANT'S REQUEST

His DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge*, Block 26, *Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized* be corrected to reflect award of the following:

1. Presidential Unit Citation.
2. Philippine Presidential Unit Citation.
3. Republic of Vietnam Gallantry Cross with Palm.
4. Navy Meritorious Unit Citation (**Outside Board's Purview, No Board Action Required**).

### APPLICANT'S CONTENTIONS

He served with the [Work-Product] from 1963 through 1967 and was in Vietnam from 1964 through 1965.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is a former Air Force airman first class (E-4) who entered the Regular Air Force on 14 Feb 63.

On 6 Jan 67, according to the applicant's DD Form 214, he was released from active duty and transferred into the Air Force Reserve (AFR). Block 26 indicates he was awarded the Air Force Good Conduct Medal, Air Force Outstanding Unit Award, and the National Defense Service Medal.

Dated 18 Feb 69, according to Reserve Order [Work-Product] the applicant was honorably discharged from the AFR, effective 13 Feb 69.

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

## **AIR FORCE EVALUATION**

AFPC/DP3SP recommends denying the applicant's request for award of the Presidential Unit Citation, Philippine Presidential Unit Citation, and the Republic of Vietnam Gallantry Cross with Palm. AFPC/DP3SP was unable to verify the applicant was assigned or attached to a unit that received the awards. In addition, the Navy Meritorious Unit Citation can only be verified by the Department of the Navy.

In accordance with Air Force Manual (AFMAN) 36-2806, *Awards and Memorialization Program*, dated 10 Jun 19, attachment A10.1. Presidential Unit Citation. The award (formerly named the Distinguished Unit Citation prior to 1965), established by Executive Order (EO) 10694, is the Nation's highest unit award. It is awarded in the name of the U.S. President to units of the U.S. Armed Forces and cobelligerent nations, for extraordinary heroism in action against an armed enemy on or after 7 Dec 41. The unit must have displayed such gallantry, determination, and esprit de corps in accomplishing its mission under extremely difficult and hazardous conditions to have set it apart and above other units participating in the same campaign. The degree of heroism required is the same as that which would be required of an Air Force Cross to an individual. Being on combat duty for an extended period or participating in a large number of operation missions, either ground or air, is not sufficient to justify the Presidential Unit Citation. The award is normally earned by units that have participated in a single action or successive actions covering relatively brief time spans. Only on rare occasions does a unit higher than a wing qualify for this award.

In accordance with attachment A12.10.1. Philippine Republic Presidential Unit Citation. The Philippine Republic Presidential Unit Citation was awarded to certain units of the U.S. Armed Forces in recognition of participation in the war against the Japanese Empire during the periods of 7 Dec 41 and 10 May 42, inclusive, and 17 Oct 44 to 4 Jul 45, inclusive. The citation was also awarded to several U.S. military units for outstanding service to the Republic of the Philippines in 1970 and 1972 during disaster relief operations. Only one Philippine Republic Presidential Unit Citation is worn regardless of the number of awards received.

In accordance with attachment A12.10.4. Republic of Vietnam Gallantry Cross Unit Citation with Palm. The Republic of Vietnam Gallantry Cross Unit Citation with Palm was awarded by the Republic of Vietnam to certain units of the U.S. Armed Forces for valorous combat achievement during the Vietnam Conflict, inclusive from 1 Mar 61 to 28 Mar 73. Only one Republic of Vietnam Gallantry Cross Unit Citation with Palm is worn regardless of the number of awards received.

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 21 Mar 23 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 not the victim of an error or injustice. The Board concurs with the rationale and recommendation of AFPC/DP3SP and finds a preponderance of the evidence does not substantiate the applicant's contentions. The applicant did not provide evidence they were assigned or attached to a unit which was awarded the Presidential Unit Citation, Philippine Presidential Unit Citation, or the Republic of Vietnam Gallantry Cross with Palm. Additionally, it is outside the Board's purview to make corrections to military naval records. The applicant may reach out to the Board for Correction of Naval Records (BCNR) regarding their request for a Naval Meritorious Unit Award. The Board also notes the applicant did not file the application within three years of discovering the alleged error or injustice, as required by Section 1552 of Title 10, United States Code, and Department of the Air Force Instruction 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*. The Board does not find it in the interest of justice to waive the three-year filing requirement. Therefore, the Board finds the application untimely and recommends against correcting the applicant's records.

## RECOMMENDATION

The Board recommends informing the applicant the application was not timely filed; it would not be in the interest of justice to excuse the delay; and the Board will reconsider the application only upon receipt of relevant evidence not already presented.

## CERTIFICATION

The following quorum of the Board, as defined in Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2020-01702 in Executive Session on 30 Nov 23:

Work-Product	Panel Chair
Work-Product	Panel Member
Work-Product	Panel Member

All members voted against correcting the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 9 Mar 20.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 27 Dec 22.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 21 Mar 23.

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Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

1/23/2024

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Board Operations Manager, AFBCMR  
Signed by: USAF

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