

## RECORD OF PROCEEDINGS

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2022-00143

XXXXXXXXXXXXXXXXXX

**COUNSEL:** NONE

**HEARING REQUESTED:** YES

### APPLICANT'S REQUEST

The effective date for award of his Distinguished Flying Cross with "V" device (DFC w/V) be changed from 2 Apr 03 to 5 Apr 03.

### APPLICANT'S CONTENTIONS

He was awarded the DFC w/V for a combat mission during Operation Iraqi Freedom in the Battle for Baghdad. The date on the medal for his actions show 2 Apr 03; however, the date of the actual mission is 5 Apr 03, which is when the Battle for Baghdad actually began. The date should be changed to accurately reflect his combat action for which he received the award.

His former squadron commander also wants to upgrade his medal. As a result, the actual date needs to reflect the Battle for Baghdad and the unit history. He is also writing a memoir and book and requires his mission information to be accurate. Further, for family, he would like to leave a legacy as an unchallenged truth.

He provides letters of support, witness statements and historical documents reflecting his actions for award of the DFC w/V occurred on 5 Apr 03.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is a retired Air Force lieutenant colonel (O-5).

The citation to accompany the award of the DFC w/V states the applicant distinguished himself while participating in aerial flight as an A-10 pilot, while in Kuwait on 2 Apr 03. He displayed uncommon heroism, tactical skill and valor in the face of a hostile enemy, while providing close air support during the first incursion into Baghdad. With a high degree of difficulty, at great personal risk, the applicant choreographed seven effective attacks.

The signed DFC w/V Certificate, with given under my hand signature date of 25 Jun 03, shows the applicant was awarded the DFC w/V for heroism while participating in aerial flight on 2 Apr 03,

Per Special Order XXXXXX dated 17 Jul 03, the applicant was awarded the DFC w/V for heroism while participating in aerial flight on 2 Apr 03.

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

## **AIR FORCE EVALUATION**

9 AF (AFCENT)/A1K recommends approval. The applicant provides witness statements confirming the mission was on 5 Apr 03.

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 30 Jun 22 for comment (Exhibit D), but has received no response.

## **FINDINGS AND CONCLUSION**

1. The application was not timely filed, but it is in the interest of justice to excuse the delay.
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. The Board concurs with the rationale and recommendation of 9 AF/A1K and finds a preponderance of the evidence substantiates the applicant's contentions. In this respect, the Board finds the supporting documentation, letters of support and witness statements sufficient to conclude the applicant's actions for which he was awarded the DFC w/V occurred on 5 Apr 03 and not 2 Apr 03 as currently reflected on the citation, certificate and special order. Therefore, the Board recommends correcting the applicant's records as indicated below.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

## **RECOMMENDATION**

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show:

- a. The Citation to Accompany the Award of the DFC w/V be amended to show his distinguished heroism was on 5 Apr 03, instead of 2 Apr 03.
- b. AF Form 2252, *Certificate for Award of the DFC*, with given under my hand date of 25 Jun 03 be amended to show the DFC w/V was awarded for heroism while participating in aerial flight on 5 Apr 03, instead of 2 Apr 03.
- c. Special Order XXXXX, dated 17 Jul 03, be amended to reflect the period for award of the DFC w/V is 5 Apr 03, instead of 2 Apr 03.

## **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-2022-00143 in Executive Session on 30 Aug 22:

, Chair, AFBCMR  
, Panel Member  
, Panel Member

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

Exhibit A: Application, DD Form 149, w/atchs, dated 6 Jan 22.  
Exhibit B: Documentary evidence, including relevant excerpts from official records.  
Exhibit C: Advisory opinion, AFCENT/A1K, dated 30 Jun 22.  
Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 30 Jun 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.