RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2003-01358

XXXXXXXXXXX COUNSEL: NONE

HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

His records be corrected to reflect that he served in the Republic of Vietnam.

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APPLICANT CONTENDS THAT:

He served in Vinh Long and Can Tho, Republic of Vietnam supporting US Army helicopter missions; however, his records do not reflect these assignments. He proved to the Department of Veterans Affairs (DVA) that he did serve in the Republic of Vietnam and has been granted a disability rating of 100 percent due to post traumatic stress disorder and agent orange exposure.

In support of his request, the applicant provides an expanded statement and copies of his DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge*, excerpts of his service medical records, correspondence from the DVA and Social Security Administration (SSA), and four supporting statements.

The applicant’s complete submission, with attachments, is at Exhibit A.

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STATEMENT OF FACTS:

The applicant’s military personnel records indicate he enlisted in the Regular Air Force on 22 Oct 68 in the grade of airman basic (E-1) for a period of four years. He was progressively promoted to the grade of sergeant (E-4), effective and with a date of rank of 1 Nov 70. On 14 Aug 72, he was honorably discharged at the completion of his required active service and was credited with 3 years, 9 months, and 23 days of total active service.

The remaining relevant facts pertaining to this application are contained in the letter prepared by the appropriate office of the Air Force, which is attached at Exhibit C.

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AIR FORCE EVALUATION:

AFPC/DPAPP2 recommends denial, indicating there is no evidence of an error or injustice. A thorough review of the applicant’s records reveals no official documents that support his claim that he served in the Republic of Vietnam.

A complete copy of the AFPC/DPAPP2 evaluation is at Exhibit C.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 29 Aug 03 for review and comment within 30 days. In response, the applicant requested his case be administratively closed until such time as he could gather additional evidence (Exhibit E). His case was reopened by virtue of his latest submission, dated 29 Nov 09.

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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 an error or injustice. We took notice of the applicant's complete submission in judging the merits of the case; however, we agree with the opinion and recommendation of the Air Force office of primary responsibility and adopt its rationale as the basis for our conclusion the applicant has not been the victim of an error or injustice. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the relief sought in this application.

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THE BOARD DETERMINES THAT:

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

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The following members of the Board considered AFBCMR Docket Number BC-2003-01358 in Executive Session on 1 Mar 11, under the provisions of AFI 36-2603:

Mr. XXXXXXXXXX, Panel Chair

Mr. XXXXXXXXXX, Member

Ms. XXXXXXXXXX, Member

The following documentary evidence was considered:

Exhibit A.  DD Forms 149, undated and 29 Nov 09, w/atchs.

Exhibit B.  Applicant's Master Personnel Records.

Exhibit C.  Letter, AFPC/DPAPP2, dated 25 Aug 03.

Exhibit D.  Letter, SAF/MRBR, dated 29 Aug 03.

Exhibit E.  Letter, Applicant, dated 5 Sep 03.

Exhibit F.  Letter, AFBCMR, dated 8 Oct 03.

XXXXXXXXXXX

Panel Chair