

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2011-02673

COUNSEL: NONE

HEARING DESIRED: NOT INDICATED

APPLICANT REQUESTS THAT:

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, be corrected to reflect his Vietnam service.

APPLICANT CONTENDS THAT:

His current DD Form 214 reflects that he has continuous service from 1965 through 1986 but his Vietnam service is not referenced on the form. Before he was discharged he told "records review" that his DD Form 214 did not include his Vietnam service. The airman stated he would get back with him but never did. He needs to verify Vietnam service to apply for Veterans Administration (VA) benefits.

In support of his request the applicant submits copies of his DD Form 214, notarized letters from two former co-workers verifying his presence at Phu-Kat Air Base and Ben-Hoa Air Base Vietnam in 1970 and 1971 and VA Form 21-22, *Appointment of Veterans Service Organization as Claimant's Representative* dated 15 July 2011.

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

STATEMENT OF FACTS:

The applicant enlisted in the Regular Air Force on 17 September 1965. He was progressively promoted to the grade of Master Sergeant, E-7. He retired on 30 September 1986 with an honorable characterization of service and was credited with serving 21 years, and 14 days of active duty which included 8 years, 6 months and 12 days of Foreign Service.

The applicant's DD Form 214 reflects that he was awarded the Vietnam Service Medal (VSM) and the Republic of Vietnam Campaign Medal (RVNCM).

The VSM criteria: The VSM was created by Executive Order 11213, 8 Jul 65. It is awarded to all service members of the Armed Forces who between 4 Jul 65 and 28 Mar 73, served in the following areas of Southeast Asia: In Vietnam and contiguous waters and airspace; in Thailand, Laos or Cambodia or the airspace thereof and in the direct support of military operations in Vietnam. The applicant must have served 30 consecutive or 60 non-consecutive days to be eligible for award of the VSM.

The RVNCM criteria: This medal is awarded to members of the armed forces of the United States who: 1) Served for six months in South Vietnam during the period 1 Mar 61 to 28 Mar 73; 2) Served outside the geographical limits of South Vietnam and contributed direct combat support to the RVN armed forces for an aggregate of six months. Only members of the armed forces of the United States who meet the criteria established for the AFEM (Vietnam) or Vietnam Service Medal during the period of service required are considered to have contributed direct combat support to the RVN Armed Forces.

AIR FORCE EVALUATION:

AFPC/DPAPP recommends denial. DPAPP states they were able to verify and confirm the applicant's foreign service boots on the ground in Greece, the United Kingdom, Thailand and Germany but not Vietnam. DPAPP recommends disapproval since the information provided in the Master Personnel Records did not contain information that reflects that the applicant served in Vietnam.

The complete AFPC/DPAPP evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 18 November 2011 for review and comment within 30 days. As of this date, this office has not received a response.

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 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 that the applicant has not been the victim of an error or injustice. Therefore, we find no basis to favorably consider this application.

4. The applicant's case is adequately documented and it has not been shown that a personal appearance with or without counsel will materially add to our understanding of the issue(s) involved. Therefore, the request for a hearing is not favorably considered.

THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of 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 BC-2011-02673 in Executive Session on 15 March 2012, under the provisions of AFI 36-2603:

, Panel Chair
, Member
, Member

The following documentary evidence was considered:

Exhibit A. DD Form 149 dated 15 July 2011, w/atchs.
Exhibit B. Applicant's Master Personnel Records.
Exhibit C. Letter, AFPC/DPAPP, dated 7 November 2011.
Exhibit D. Letter, SAF/MRBR, dated 18 November 2011.

Panel Chair