

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00212
COUNSEL: NONE
HEARING DESIRED: YES

APPLICANT REQUESTS THAT:

1. He be entitled to the Vietnam Service Medal (VSM).
2. He be entitled to the Republic of Vietnam Campaign Medal (RVCM).

APPLICANT CONTENDS THAT:

He served in Vietnam from 1 Mar through 15 Sep 1968.

In support of his request the applicant provides a copy of his DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge*.

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

STATEMENT OF FACTS:

The applicant served on active duty in the Regular Air Force from 23 Aug 1965 to 23 Jan 1969.

The Vietnam Service Medal (VSM), created on 8 Jul 1965, is awarded to all service members of the Armed Forces who, between 4 Jul 1965 and 28 Mar 1973, served in the following areas of Southeast Asia: in Vietnam and the contiguous waters and airspace; in Thailand, Laos or Cambodia or the airspace there over in the direct support of military operations in Vietnam. The specific eligibility criteria requires a member to be either:

Attached to or regularly serving for one, or more, days with an organization participating in or directly supporting ground (military) operations,

Attached to or regularly serving for one, or more, days aboard a naval vessel directly supporting military operations,

Actually participate as a crew member in one or more aerial flights directly supporting military operations, or

Serve on temporary duty for 30 consecutive days or 60 nonconsecutive days, which may be waived for personnel participating in actual combat operations.

The RVCM is awarded to members of the Armed Forces of the United States who: served for six months in South Vietnam during the period 1 Mar 1961 and 28 Mar 1973; or served outside the geographical limits of South Vietnam and contributed direct combat support to the Republic of Vietnam (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 Armed Forces Expeditionary Medal or VSM during the period of service required are considered to have contributed direct combat support to the RVN Armed Forces.

AIR FORCE EVALUATION:

HQ AFPC/DPAPP recommends denial. DPAPP states a review of the applicant's master personnel records and documentation submitted failed to provide any documents that substantiated he was assigned in Vietnam.

The complete DPAPP evaluation is at Exhibit C.

HQ AFPC/DPSIDR recommends denial. DPSIDR states there is no evidence the applicant served in the Area of Eligibility for 30 consecutive or 60 non-consecutive days.

The complete DPSIDR evaluation is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

He cannot be 100 percent sure of the exact dates he was in Vietnam because it has been 44 years since he served there. He may not be eligible for the RVCM, but he is positive he is eligible for the VSM. The DPSIDR letter incorrectly reflects the year he served in Vietnam. They would have to research the year "1968" to find his name.

He provides a list of personnel who served with the 355th Tactical Fighter Squadron at Phu Cat, Vietnam in 1968. He brings attention to the fact his name is on the list. While he is aware this list is incomplete and is not an official document, it was compiled by someone who worked in the personnel office at Phu Cat, Vietnam.

He believes the Air Force should have copies of his orders somewhere in their database. He probably had copies of his orders but he gave them to his parents who are now deceased.

He provides a copy of his AF Form 7, *Airman Military Record*, and notes there are five unaccounted months. His best recollection

of that period is that he left Greece for Myrtle Beach. When he arrived in Myrtle Beach and his unit already left for temporary duty (TDY) to Vietnam. He received orders to join them and flew to Cam Ranh Bay, Vietnam.

They were replaced by a Air National Guard unit. It was supposed to be a three month TDY. However, he stayed longer to train them.

He reiterates that he cannot remember the exact dates he served in Vietnam, but assures the reader that he did serve. He has some pictures and is sure others have some too. He regrets not having carefully checked his DD Form 214 when he was discharged.

His complete submission, with attachments, is at Exhibit F.

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 opinions and recommendations of the Air Force offices of primary responsibility (OPR) and adopt their rationale as the basis for our conclusion the applicant has not been the victim of an error or injustice. The applicant's response to the Air Force evaluations are noted, however, we do not find his uncorroborated assertions sufficiently persuasive to override the rationale provide by the OPR. Should the applicant provide official documentation to substantiate his eligibility for award of the VSM, we would be willing to reconsider his request. In the absence of evidence to the contrary, we find no basis to recommend granting the relief sought in 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 in Executive Session on 25 Jul 2012, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

The following documentary evidence was considered in AFBCMR BC-2012-00212:

- Exhibit A. DD Form 149, dated 19 Jan 2012.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPAPP, dated 23 Mar 2012.
- Exhibit D. Letter, AFPC/DPSIDR, dated 3 Apr 2012.
- Exhibit E. Letter, SAF/MRBR, dated 10 Apr 2012.
- Exhibit F. Letter, Applicant, dated 17 Apr 2012, w/atchs.

Panel Chair