



The applicant's DD Form 214 dated 29 May 69 does not reflect any foreign service.

On 14 Jun 12, AFPC/DPAPP notified the applicant that his boots on ground service in the Republic of Vietnam had been verified and that his foreign service will be updated on his DD Form 214.

The VSM is awarded to all members of the U. S. Armed Forces serving at any time between 4 Jul 65 and 28 Mar 73, in the area of eligibility (AOE). The AOE is defined as: Vietnam, its contiguous waters, or airspace there-over; in Thailand, Laos, or Cambodia, their contiguous waters, or the airspaces there-over, and in direct support of operations in Vietnam. To be eligible, a service member must have served on TDY for 30 consecutive or 60 non-consecutive days. These time limitations may be waived for personnel who participated in actual combat operations. A bronze service star denotes campaign participation and is awarded for at least 1 day served in each campaign phase.

The RVCM is awarded to members of the U. S. Armed Forces who: Served for 6 months (179 days) in South Vietnam during the period 1 Mar 61 and 28 Mar 73; 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 U. S. Armed Forces who meet the criteria established for the Armed Forces Expeditionary Medal (AFEM) (Vietnam) or VSM during the period of service required are considered to have contributed direct combat support to the RVN Armed Forces.

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/DPSID recommends denial noting there is insufficient evidence to support the applicant served in the AOE for the required period of time for award the VSM or RVCM. Although it was confirmed the applicant was TDY for nine days in Vietnam, the remaining TDY locations and dates cannot be confirmed.

The complete AFPC/DPSID 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 20 Aug 12, for review and comment within 30 days (Exhibit D). As of this date, no response has been received by this office.

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THE BOARD CONCLUDES THAT:

1. The applicant has not 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. After a thorough review of the applicant's submission and the evidence of record we found it insufficient to conclude that the applicant served in the area of eligibility for the required time for the Vietnam Service Medal or the Republic of Vietnam Campaign Medal. Therefore, we agree with the opinion and recommendation of the Air Force office of primary responsibility and adopt its rationale as the basis for our decision the applicant has failed to sustain his burden of proof of the existence of an error or injustice. Therefore, in the absence of evidence to the contrary, we find no basis to recommend any corrections to the record beyond that which will be administratively resolved.
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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-2012-00213 in Executive Session on 4 Dec 12, under the provisions of AFI 36-2603:

Panel Chair  
Member  
Member

The following documentary evidence pertaining to AFBCMR Docket Number BC-2012-000213 was considered:

- Exhibit A. DD Forms 149, dated 19 Jan 12 and 19 Mar 12, w/atchs.
- Exhibit B. Applicant's Military Personnel Records.
- Exhibit C. Letter, AFPC/DPSID, dated 23 Jun 12.
- Exhibit D. Letter, SAF/MRBR, dated 20 Aug 12.

Panel Chair