

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00584
COUNSEL: NONE
HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

His DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge*, be updated to reflect his foreign service to Spain from Jan 63 to Apr 63 and Vietnam from Jul 65 to Oct 65.

APPLICANT CONTENDS THAT:

1. His claim for benefits with the Department of Veterans Affairs (DVA) is being held due to the fact that his DD Form 214 does not reflect his foreign service. He was told that his records may have been destroyed in the fire of 1973. After requesting a copy of his records, he only received a copy of his DD Form 214. Once he submitted his claim he was informed that an investigation would be conducted with regard to his eligibility. He can provide names of fellow airman. He believes that because his Vietnam service is not reflected on his DD Form 214 that the DVA cannot make a determination to his request.

2. During his 4-year tour with the Air Force, he was stationed at George AFB, CA, and was sent on several temporary duty assignments to Spain and Vietnam.

In support of his request, the applicant provides a personal statement and a copy of his DD Form 214.

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

STATEMENT OF FACTS:

The applicant enlisted into the Regular Air Force on 18 Jun 62. His DD Form 214 does not reflect any foreign service time. The applicant's performance report for the period ending 30 Dec 65 reflects a statement that reads, "During the recent deployment to SEA, A1C G worked many hours of overtime without complaining."

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

AIR FORCE EVALUATION:

AFPC/DPAPP recommends denial. Although the applicant's performance report indicates he was sent on temporary duty to Southeast Asia, it does not specifically indicate the location.

The complete 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 7 May 12 for review and comment within 30 days. As of this date, this office has received no 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, 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 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 AFBCMR Docket Number BC-2012-00584 in Executive Session on 28 Jun 12, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 7 Feb 12, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPAPP, dated 20 Apr 12.
- Exhibit D. Letter, SAF/MRBR, dated 7 May 12.

Panel Chair