

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00589
COUNSEL:
HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

1. His DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge*, be amended to reflect the following awards and decorations:

a. Air Force Good Conduct Medal (AFGCM) - **administratively corrected.**

b. Vietnam Service Medal with two Bronze Service Stars (VSM w/2BSS).

c. Republic of Vietnam Gallantry Cross with Palm (RVNGC w/P).

d. The Republic of Vietnam Campaign Medal (RVCM).

e. The Republic of Vietnam Civil Actions Medal.

f. Any unit awards for time served in Vietnam.

APPLICANT CONTENDS THAT:

He has been diagnosed with a disease caused by exposure to Agent Orange in Vietnam and needs to prove boots on ground in Vietnam.

In support of the applicant's appeal, he provides documents extracted from his military personnel records.

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

STATEMENT OF FACTS:

The applicant enlisted in the Regular Air Force on 12 November 1965.

The applicant was honorably released on 12 March 1969 and transferred to the Air Force Reserve under the provisions of AFM 39-10. He served 3 years, 4 months and 1 day on active duty.

The VSM is awarded to all members of the Armed Forces of the United States serving at any time between 4 July 1963 and 28 March 1973, in Vietnam, Thailand, Laos, or Cambodia, or the airspaces, thereof, and in direct support of operations in Vietnam and if on temporary duty (TDY) in the area of responsibility (AOR) for 30 consecutive days or 60 nonconsecutive days. Service members must actually participate as a crew member in one or more aerial flights directly supporting military operations, be attached to or regularly serving for one, or more, days with an organization participating in or directly supporting ground (military) operations or be attached or regularly serving for one, or more, days aboard a naval vessel directly supporting military operations.

The RVNGC w/P is awarded by the Republic of Vietnam to units for valorous combat achievements.

The RVCMM is awarded to members of the Armed Forces of the United States who between 1 March 1961 and 28 March 1973, served for six months in South Vietnam during the period indicated in the Department of Defense Manual (DoDM) 1348.33, Volume III. Served outside the geographical limits of South Vietnam and contributed direct combat support to the Republic of Vietnam 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 (Vietnam) or the VSM during the period of service required are considered to have contributed direct combat support to the Republic of Vietnam Armed Forces.

The Republic of Vietnam Civil Actions Medal is a decoration of South Vietnam, first established in 1964. It was awarded to any member of the Vietnamese military who performed outstanding civic service to the state or who participated in civil service actions of significant benefit. The Republic of Vietnam Civil Actions Medal was awarded in two classes, the first class intended for commissioned officers and the second for enlisted personnel. It was awarded most often to United States Marine Corps which had participated in local police actions to suppress civil unrest in certain areas of South Vietnam.

AIR FORCE EVALUATION:

AFPC/DPAPP recommends denial of the applicant's request to correct his records to show time served in Vietnam. DPAPP states a review of the applicant's Master Personnel Records and documentation submitted failed to provide any documents that substantiate foreign service time in Vietnam.

The DPAPP complete evaluation is at Exhibit C.

AFPC/DPSIDRA was able to verify the applicant's entitlement to the AFGCM. The applicant's record will be updated by the appropriate office.

According to the Directorate of Assignments (DPAPP) memorandum dated 24 April 2012, the applicant's official military record failed to provide any documents that substantiate foreign service time in Vietnam. Therefore, DPSIDRA is unable to verify entitlement to the VSM w/2BSS, RVNGC w/P, RVCM, any other unit awards as DPAPP is unable to substantiate boots on ground in Vietnam.

The Republic of Vietnam Civil Actions Medal is not a decoration authorized or issued by the United States Air Force - it is a decoration of a foreign government.

The DPSIDRA complete evaluation is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

On 8 June 2012, copies of the Air Force evaluations were forwarded to the applicant for review and response within 30 days (Exhibit E). As of this date, no response has been received by this office.

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. The applicant's contentions are duly noted; however, after reviewing the evidence of record, 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 provided sufficient evidence to substantiate time served in Vietnam and his entitlement to the VSM w/2BSS, RVNGC w/P, RVCM, the Republic of Vietnam Civil Actions Medal and any unit awards for time served in Vietnam. Therefore, other than the administrative correction (AFGCM) made to his records, we find no basis to recommend granting the remaining relief sought in this application.

THE BOARD DETERMINES THAT:

The applicant be notified the evidence presented did not demonstrate the existence of an 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.

The following members of the Board considered AFBCMR Docket Number BC-2012-00589 in Executive Session on 9 August 2012, under the provisions of AFI 36-2603:

The following documentary evidence pertaining to AFBCMR Docket Number BC-2012-00589 was considered:

- Exhibit A. DD Form 149, dated 2 February 2012, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. AFPC/DPAPP, dated 24 April 2012.
- Exhibit D. Letter, AFPC/DPSIDRA, dated 10 May 2012 w/atch.
- Exhibit E. Letter, SAF/MRBR, dated 8 June 2012.