

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00726

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

His record be corrected to reflect his service in the Republic of Vietnam.

APPLICANT CONTENDS THAT:

He served boots on the ground in Da Nang, AB Republic of Vietnam (RVN) from 16 March 1972 to 9 April 1972.

He would like to apply for Department of Veterans Affairs (DVA) benefits.

In support of his request, the applicant provides copies of his DD Form 214, *Certificate of Release or Discharge from Active Duty*; AF Forms 626, *Request and Authorization for Temporary Duty - Military*; and AF Forms 973, *Request and Authorization for Change of Administrative Orders*.

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

STATEMENT OF FACTS:

The applicant served on active duty in the Regular Air Force from 14 May 1971 to 13 May 1975 as a Weapons Mechanic.

His DD Form 214 reflects 4 years of total active service with 1 year, and 3 months of Foreign Service.

Special Order number TA-978, reflects he went TDY to Da Nang, AB RVN from Clark AB, Philippines to provide maintenance support to deployed aircraft effective on or about 21 Mar 1972 for 60 days.

In accordance with AF Form 973, dated 22 May 1972, Item 7, approximate number of days (include travel time) was amended to read "90" days. The remarks section reflects, "Verbal Orders of Commanding Officer (VOCO), 18 May 1972, sending above personnel on TDY to Da Nang AB, RVN for 60 days effective 21 Mar 1972 is confirmed, exigencies of the service having been such as to preclude the issuance of competent written orders in advance."

The applicant's name is reflected as one of the individuals to whom the change action pertains.

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 the Republic of 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 the Republic of 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.

AIR FORCE EVALUATION:

HQ AFPC/DPAPP recommends denial. DPAPP states they were able to verify and confirm the applicant was assigned at Clark Air Base, Republic of the Philippines, but cannot verify that he served in Vietnam.

The complete DPAPP evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

On 11 May 2012, copies of the Air Force evaluations were forwarded to the applicant for review and comment within 30 days. To date, a response has not been received (Exhibit E).

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. Sufficient evidence has been presented to demonstrate the existence of an error or an injustice. After a thorough review of the evidence presented, we are persuaded that relief is warranted. We note the recommendation to deny the relief from the Air Force office of primary responsibility based on the fact they were unable to verify that he served in Vietnam. However, the applicant has provided documentation that shows he was TDY in Vietnam. Although he has been unable to provide copies of travel vouchers in support of his request, it is our opinion that the applicant has provided sufficient evidence to persuade us that he served in Vietnam. In view of the above, we recommend his records be corrected as indicated below.

THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show that he had boots on the ground in Da Nang Air Base, Vietnam, from 21 Mar 1972 through 20 May 1972.

The following members of the Board considered AFBCMR BC-2012-00726 in Executive Session on 14 Aug 2012, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

All members voted to correct the records, as recommended. The following documentary evidence was considered in AFBCMR BC-2012-00726:

- Exhibit A. DD Form 149, dated 14 Feb 2012, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, HQ AFPC/DPAPP, dated 4 May 2012.
- Exhibit D. Letter, SAF/MRBR, dated 11 May 2012.

Panel Chair