

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00970
COUNSEL: NO
HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

He be awarded the Vietnam Service Medal (VSM) and his DD Form 214, *Report of Separation from Active Duty*, be corrected to reflect the VSM.

APPLICANT CONTENDS THAT:

He served in secure voice communications at Headquarters Eighth Air Force, Andersen Air Force Base, Guam, in direct support of combat missions. He understands that personnel stationed at U-Taopau Air Base, Thailand, doing the same job he did on Guam, got the VSM.

In support of his appeal, the applicant provides a personal statement and, copies of his DD Form 214 and a Top Eight Club Citation.

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

STATEMENT OF FACTS:

The applicant is a former member of the Regular Air Force who served on active duty from 27 January 1971 to 24 January 1975. He served as a Squadron Telephone Operator and was progressively promoted to the grade of staff sergeant (E-5). He served an overseas tour to Andersen Air Force Base, Guam, between 28 December 1971 and 29 March 1973.

The remaining relevant facts pertaining to this application are contained in the evaluation prepared by the appropriate office of the Air Force at Exhibit B.

AIR FORCE EVALUATION:

AFPC/DPSIDR recommends denial. DPSIDR states the VSM is awarded to all members of the United States Armed Forces who served in Vietnam or contiguous waters or airspace after 3 July 1965, and

before 28 March 1973. In addition, personnel serving in Thailand, Laos, or Cambodia (Southeast Asia) in direct support of operations in Vietnam during the same time period were eligible for the VSM, provided they were: 1) permanently assigned, attached, or detailed for one or more days with an organization participating in or directly supporting ground (military) operations; 2) permanently assigned, attached, or detailed for one or more days aboard a naval vessel directly supporting military operations; 3) actually participated as a crewmember in one or more aerial flights directly supporting military operations; or, 4) served on temporary duty for 30 consecutive or 60 non-consecutive days in the Republic of Vietnam or Southeast Asia. Time limitations may be waived for personnel participating in combat operations.

DPSIDR indicates the applicant did not serve in the area of entitlement for award of the VSM and does not meet the eligibility criteria for award of the VSM.

The complete DPSIDR evaluation is at Exhibit B.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 11 May 2012 for review and response within 30 days (Exhibit C). 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.

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-2012-00970 in Executive Session on 21 August 2012, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

The following documentary evidence was considered in connection with AFBCMR Docket Number BC-2012-00970:

- Exhibit A. DD Form 149, dated 21 Feb 12, w/atchs.
- Exhibit B. Letter, AFPC/DPSIDRA, dated 7 May 12.
- Exhibit C. Letter, SAF/MRBR, dated 11 May 12.

Panel Chair