

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-01385

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

His official records be corrected to award him Vietnam service credit from Mar 65 to Nov 65.

APPLICANT CONTENDS THAT:

His Vietnam service is not appropriately reflected on his DD Form 214, *Armed Force of the United States Report of Transfer or Discharge*. His first Temporary Duty (TDY) assignment was in Mar 65 at Tan Son Nhut Air Base, then to Monkey Mountain Radar Station, returning to his home station of Clark AFB, Philippines in Jun 65. His next TDY was in Jul 65 to the Army Special Forces Camp at Nui Ba Den, then to Tan Ninh Special Forces Camp, returning to Clark AFB in late Oct or early Nov 65.

In support of his request, the applicant provides copies of his DD Form 214, a DD Form 215, *Correction to DD Form 214, Armed Force of the United States Report of Transfer or Discharge*, two sets of orders, and a letter from USMACV/CC.

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

STATEMENT OF FACTS:

The applicant initially entered the Regular Air Force on 16 Aug 62.

On 17 Dec 65, the applicant was furnished an Honorable Discharge Certificate, credited with three years, four months, and two days of active service, and with 1 year, 3 months, and 29 day of Foreign Service.

The remaining relevant facts pertaining to this application are described in the letters prepared by the Air Force offices of primary responsibility which are included at Exhibits C and D.

AIR FORCE EVALUATION:

AFPC/DPAPP recommends approval, indicating there is evidence of an error or injustice. Although a TDY order does not, in and of itself, prove the applicant fulfilled his TDY orders to Vietnam, the applicant submitted compelling evidence in the form of an in-country clearance letter and his Enlisted Performance Report for that period indicates he served in Vietnam and fulfilled the TDY on Special Order T-99 beginning 10 Mar 65 for 120 days. The applicant's records do not contain specific corroboration of a TDY on Special Order T-334 to Tan Son Nhut, Republic of Vietnam on or about 26 Jul 65, however, Special Order T-334 does reflect a "Received Stamp" dated Mar 66 which increases the probability it was executed. We recommend the applicant's records be corrected to show 240 days "boots on the ground" in Tan Son Nhut and Da Nang, Republic of Vietnam.

A complete copy of the AFPC/DPAPP evaluation is at Exhibit C.

AFPC/DPSOR recommends denial, indicating there is no evidence of an error or injustice. The applicant's DD Form 214 accurately reflects his Foreign Service Credit for his assignment to Clark Air Base but does not show credit for TDYs to Vietnam. In accordance with AFI 36-3202, *Separation Documents*, Table 4, Rule 46, we are only authorized to list the area of responsibility for members of the Air National Guard (ANG) and Reserve members ordered to active duty in time of national emergency or war. The applicant served in the Regular Air Force on active duty. Therefore, the location of his Foreign Service should not be included on his DD Form 214.

A complete copy of the AFPC/DPSOR evaluation is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 28 Aug 12 for review and comment within 30 days. As of this date, no response has been received by this office. (Exhibit E).

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was untimely filed; however, it is in the interest of justice to excuse the failure to timely file.
3. Sufficient relevant evidence has been presented to demonstrate the existence of an error or injustice. We note

that AFPC/DPAPP validated the applicant's service in Vietnam. While the applicant's service in Vietnam does not meet the requirement for documentation on the DD Form 214 in accordance with AFI 36-3202, *Separation Documents*, Table 4, Rule 46, the Board has found it in the interest of justice to provide similarly situated applicants a "boots-on-the-ground" letter, and therefore recommends the record be corrected as indicated below.

THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to the applicant be corrected to show he had boots on the ground for 240 days at Tan Son Nhut Air Base and Da Nang Air Base, Republic of South Vietnam, between 10 March 1965 and 22 November 1965.

The following members of the Board considered AFBCMR Docket Number BC-2012-01385 in Executive Session on 13 Dec 12, 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:

- Exhibit A. DD Form 149, dated 12 Apr 12, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPAPP, dated 14 Jun 12.
- Exhibit D. Letter, AFPC/DPSOR, dated 20 Jul 12.
- Exhibit E. Letter, SAF/MRBR, dated 28 Aug 12.

Panel Chair