

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-01978  
COUNSEL: NONE  
HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

1. His DD Form 214, *Certificate of Release or Discharge from Active Duty*, be corrected to reflect the Republic of Vietnam Campaign Medal (RVCM).
2. His DD Form 214 be corrected to reflect the Vietnam Service Medal (VSM).

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APPLICANT CONTENDS THAT:

Through no fault of the Air Force his records are in error; however, he needs the errors to be corrected so that he can receive Department Veterans Affairs (DVA) benefits. His records were burned in the fire of 1973. He was assigned to Ellsworth AFB and was sent on temporary duty to Bion Hoa, Vietnam AF, in 1967. At the time he retired, he and his family were experiencing some major problems and he was not ready to retire when he did. He did not look at his DD Form 214 as close as he should have.

In support of his request, the applicant provides a personal statement.

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

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STATEMENT OF FACTS:

The applicant retired on 31 Dec 87 in the grade of master sergeant.

DD Form 215, *Correction to DD Form 214, Certificate of Release or Discharge from Active Duty*, was accomplished to administratively correct the applicant's DD Form 214 to reflect the correct aircraft data, associated with his Air Force Specialty Codes..

The RVCM Criterion: This medal is awarded to members of the armed forces of the United States who: 1) Served for six months in South Vietnam during the period March 1, 1961 to March 28,

1973; 2) Served outside the geographical limits of South Vietnam and contributed direct combat support to the RVN 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 AFEM (Vietnam) or Vietnam Service Medal during the period of service required are considered to have contributed direct combat support to the RVN armed forces; 3) Did not complete the length of service required in item (1) or (2) above, but who, during wartime, were: a) wounded by the enemy (in a military action); b) captured by the enemy during action or in the line of duty, but later rescued or released; c) killed in action or in the line of duty; 4) Were assigned in Vietnam on Jan 28, 1973, and who served a minimum of 60 calendar days in Vietnam during the period Jan 29 to March 28, 1973.

The VSM is awarded to all service members of the Armed Forces who between 4 Jul 65 and 28 Mar 73, served in the following areas of Southeast Asia: in Vietnam and the contiguous waters and airspace; in Thailand, Laos, or Cambodia or the airspace thereof and in direct support of military operations in Vietnam. A service member must have served on TDY for 30 consecutive days or 60 nonconsecutive days to be eligible for award of the VSM. Those time limitations may be waived for personnel participating in actual combat operations.

The remaining relevant facts pertaining to this application are contained in the letters prepared by the appropriate offices of the Air Force, which are at Exhibit C and D.

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AIR FORCE EVALUATION:

AFPC/DPSID recommends denial of his request for the RVCM and states that there is insufficient evidence in the applicant's official military personnel record to support his claim that he served in the area of eligibility for the award.

The complete DPSID evaluation is at Exhibit C.

AFPC/DPAPP recommends denial of his request for the VSM and states that there is a lack of evidence in the applicant's records to prove he served in Vietnam. His evaluation report from 27 Jun 67 through 21 May 68 reflects that he was TDY to Andersen AFB, Guam, for 118 days during the period in question. Additionally, his AF Form 7, *Airman Military Record*, reflects he was TDY for 178 days beginning 22 Jan 68 and TDY to the SEA during the period of 7-28 Mar 68. Unfortunately, his record does not reflect a specific location.

The complete DPAPP evaluation is at Exhibit D.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

The applicant responds by stating that while he was stationed at Andersen AFB, Guam; he worked on B-52 bombers, which was directly related to the war effort. The second TDY was to Thailand where he worked on several types of aircraft, all in direct support of the war effort.

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

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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 with regard to the applicant's request to have his DD Form 214 updated with the RVCM and VSM. After a thorough review of the evidence of record and applicant's submission, we are not persuaded that his uncorroborated assertions, in and by themselves, are sufficiently persuasive to override the rationale provided by the Air Force. Therefore, we agree with the opinions and recommendations of the Air Force offices of primary responsibility and adopt their rationale as the basis for our conclusion that relief beyond that already granted administratively is not warranted. Accordingly, the applicant's requests are not favorably considered.

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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.

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The following members of the Board considered AFBCMR Docket Number BC-2012-01978 in Executive Session on 18 Dec 12, under the provisions of AFI 36-2603:

, Panel Chair  
, Member

, Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 30 Apr 12, w/atck.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPSID, dated 24 Jun 12.
- Exhibit D. Letter, AFPC/DPAPP, dated 2 Jul 12.
- Exhibit E. Letter, SAF/MRBR, dated 10 Oct 12.
- Exhibit F. Letter, Applicant, dated undated.

Panel Chair