

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-02383
COUNSEL: NO
HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

His DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge*, be corrected to reflect his service in Vietnam.

APPLICANT CONTENDS THAT:

He was on temporary duty (TDY) to Vietnam from 27 January 1968 to 6 March 1968.

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 26 May 1967 to 25 May 1973. His DD Form 214 reflects that he served 9 months and 16 days of Foreign Service.

AIR FORCE EVALUATION:

AFPC/DPAPP recommends denial. DPAPP states that after a thorough review of the applicant's military service records, they found no evidence to substantiate the applicant served any Foreign Service in Vietnam. Although, one Airman Performance Report reflects temporary duty to Southeast Asia, they are unable to determine the exact location in Southeast Asia.

The complete DPAPP evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 28 August 2012, for review and comment within 30 days (Exhibit D). 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. In this respect, we note there was no entry on the DD Form 214, issued at the time of his 1973 release from active duty, to reflect service in the Republic of Vietnam (RVN). As such, it would be inappropriate to make such a correction. His DD Form 214 does reflect 9 months and 16 days of Foreign Service and there has been no showing this information is incorrect. Therefore, we find no evidence of an error concerning the DD Form 214. Notwithstanding this however, we did consider whether his records should be corrected to reflect his service in the RVN in the interest of justice, as many similarly situated applicants request such a correction in order support applications to the Department of Veterans Affairs (DVA) for service-connections of various ailments resulting from herbicide exposure. However, in the applicant's case, for the purpose of determining a service-connection for his diabetes mellitus, the DVA resolved the indeterminate evidence regarding his RVN service in his best interest. In view of this, we do not believe his record should be disturbed in the interest of justice. While the DVA determined they could not deny the possibility the applicant was stationed TDY in the RVN at some point from 27 January 1968 to 6 March 1968 for the purpose of conceding herbicide exposure, we do not find substantial evidence to recommend disturbing the record. However, if the applicant is able to provide any source documents, (i.e., travel vouchers, evaluation reports, letters of evaluation, decorations, witness statements, sworn affidavits, etc.) to verify his RVN service and the dates he performed such service, the Board would be willing to reconsider a request that his records reflect said service.
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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.

The following members of the Board considered AFBCMR Docket Number BC-2012-02383 in Executive Session on 21 February 2013, under the provisions of AFI 36-2603:

_____, Chair
_____, Member
_____, Member

The following documentary evidence was considered in connection with AFBCMR Docket Number BC-2012-02383:

- Exhibit A. DD Form 149, dated 30 May 12 w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPAPP, dated 24 Jul 12.
- Exhibit D. Letter, SAF/MRBR, dated 28 Aug 12.

Chair