

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-02503  
COUNSEL: NONE  
HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

His DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge* be corrected to reflect entitlement to the Vietnam Service Medal (VSM).

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APPLICANT CONTENDS THAT:

On 22 Apr 70, to 23 Apr 70, he went on a temporary duty (TDY) assignment to Vietnam.

In support of his request, the applicant provides copies of his DD Form 214, AF Form 626, *Request and Authorization for Temporary Duty - Military*; DD Form 1351-2, *Travel Voucher or Subvoucher*; SF Form 180, *Request Pertaining to Military Records* and a National Personnel Records Center(NPRC) memorandum.

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

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STATEMENT OF FACTS:

The applicant served on active duty in the Air Force from 2 Sep 66, to 9 Aug 70. His DD Form 214 reflects a total of 3 years, 11 months, and 8 days of total active service; with 1 year, 2 months and 11 days of Foreign Service.

The VSM is awarded to all members of the Armed Forces who, between 4 Jul 65 and 28 Mar 73, served in the area of eligibility (AOE). The AOE is defined as: Vietnam, its contiguous waters, or the airspaces there over, in Thailand, Laos, or Cambodia, and in the direct support of military operations in Vietnam. To be eligible, a service member must have served on TDY in the AOE for 30 consecutive or 60 non-consecutive days. These time limitations may be waived for personnel who participated in actual combat operations.

A bronze star denotes campaign participation and is awarded for at least one day served in each campaign phase.

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AIR FORCE EVALUATION:

AFPC/DPSID recommends denial. DPSID states they were able to verify the applicant served on a TDY to Vietnam from 22 Apr 70 to 23 Apr 70; however, this is the extent of any TDY in which the applicant served in the AOE.

DPSID states based on a review of the applicant's official military record and provided documentation; he does not meet the criteria for award of the VSM as he did not serve for 30 consecutive days or 60 non-consecutive days in the AOE.

The complete DPSID evaluation is at Exhibit B.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 28 Aug 12 review and comment within 30 days (Exhibit C). As of this date, this office has not received a response.

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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. After a thorough review of the evidence of record and the applicant's submission, we are not persuaded his record should be corrected to reflect entitlement to the VSM. Therefore, 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 the applicant has not been the victim of an error or an injustice. Should the applicant provide official documentation to substantiate his eligibility for award of the VSM, we would be willing to reconsider his request. In the absence of evidence to the contrary, we find no basis to recommend granting the relief sought in this application.

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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 Docket Number BC-2012-02503 in Executive Session on 15 Jan 13, under the provisions of AFI 36-2603:

Panel Chair  
Member  
Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 7 Jun 12, w/atchs.
- Exhibit B. Letter, AFPC/DPSID, dated 17 Aug 12.
- Exhibit C. Letter, SAF/MRBR, dated 28 Aug 12.

Panel Chair