

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-02505
COUNSEL: NONE
HEARING DESIRED: YES

APPLICANT REQUESTS THAT:

His DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge*, be amended to reflect time served in Vietnam.

APPLICANT CONTENDS THAT:

He served in Vietnam from 1 July 1965 to December 1965.

The applicant provides no documentation in support of his appeal.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS:

The applicant enlisted in the Regular Air Force on 26 July 1961.

The applicant was honorably released on 16 July 1965 and transferred to the Air Force Reserve under the provisions of AFR 39-14. He served 3 years, 11 months and 21 days on active duty and credited with 1 year, 5 months and 13 days of foreign and/or sea service.

On 13 August 2012, AFPC/DPSIPV advised the applicant that they were unable to locate any documentation to substantiate his claim that he was discharged from active duty during December 1965. Records reveal he was released from active duty on 16 July 1965 and transferred to the Air Force Reserve to complete his military service obligation that expired on 25 July 1967. Therefore, there is no justification to change his service dates on his DD Form 214. DPSIPV further explained that if he still believes an error or injustice exists return the DD Form 149 with or without additional justification.

AIR FORCE EVALUATION:

AFPC/DPAPP recommends denial of the applicant's request to correct his records to show time served in Vietnam. DPAPP states a review of the applicant's Master Personnel Records and documentation submitted failed to provide any documents that substantiate foreign service time in Vietnam. DPAPP was able to verify and confirm foreign service boots on ground at Ramstein Air Base, Germany, from 1 February 1964 to 13 July 1965, for 1 year, 5 months, and 13 days, which is included on the applicant's DD Form 214 with a separation date of 16 July 1965.

The DPAPP complete evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

On 28 August 2012, a copy of the Air Force evaluation was forwarded to the applicant for review and response within 30 days (Exhibit D). As of this date, no response has been received by this office.

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. The applicant's contentions are duly noted; however, after reviewing the evidence of record, 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 provided sufficient evidence to substantiate time served in Vietnam. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the relief sought in this application.
 4. The applicant's case is adequately documented and it has not been shown that a personal appearance with or without counsel will materially add to our understanding of the issues involved. Therefore, the request for a hearing is not favorably considered.
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THE BOARD DETERMINES THAT:

The applicant be notified the evidence presented did not demonstrate the existence of an error or injustice; the application was denied without a personal appearance; and 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-2012-02505 in Executive Session on 10 January 2013, under the provisions of AFI 36-2603:

The following documentary evidence pertaining to AFBCMR Docket Number BC-2012-02505 was considered:

- Exhibit A. DD Form 149, dated 6 June 2012.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. AFPC/DPAPP, dated 23 July 2012.
- Exhibit D. Letter, SAF/MRBR, dated 28 August 2012.