RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2010-02189

XXXXXXX COUNSEL: NONE

HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

His records be corrected to reflect he was awarded the following awards and decorations:

1.  Distinguished Flying Cross (DFC) **(to be administratively resolved)**.

2.  Bronze Star Medal (BSM) w/“V” device **(to be administratively resolved)**.

3.  Air Medal (AM) with one silver oak leaf cluster (1SOLC) and one bronze oak leaf cluster (1BOLC) **(to be administratively resolved)**.

4.  Vietnam Service Medal (VSM) **(to be administratively resolved)**.

5.  Republic of Vietnam Campaign Medal (RVNCM).

6.  Any other awards and decorations for which he is entitled.

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APPLICANT CONTENDS THAT:

His records are incorrect and do not reflect the awards and decorations for which he is entitled.

In support of his appeal, the applicant provides copies of his DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge;* certificates, citations and special orders relative to his DFC, BSM w/”V” device, and AM w/1SOLC and 1BOLC; Enlisted Performance Reports (EPR), and other documents from his military personnel records.

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

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STATEMENT OF FACTS:

The applicant’s military personnel records indicate he enlisted in the Regular Air Force on 4 Oct 65 in the grade of airman basic (E-1) for a period of four years. He was progressively promoted to the grade of sergeant (E-4), effective and with a date of rank of 1 Aug 67. On 16 May 69, he was honorably discharged at the completion of his required active service and was credited with 3 years, 7 months, and 13 days of total active service.

On 7 Dec 10, AFPC/DPSIDR notified the applicant of his entitlement to the DFC, BSM w/”V” device, AM w/1SOLC & 1BOLC, VSM, Air Force Outstanding Unit Award (AFOUA) w/”V” device and 1BOLC, and Republic of Vietnam Gallantry Cross with Palm (RVNGC w/P).

The RVNCM is awarded to members of the armed forces who, during the period 1 Mar 61 through 28 Mar 73, served for at least six months in South Vietnam; or served outside the geographical limits of South Vietnam and contributed direct combat support to the Republic of Vietnam (RVN) armed forces for an aggregate of six months. Only members who meet the criteria for the Armed Forces Expeditionary Medal (Vietnam) or VSM during the period of service are considered to have contributed direct combat support to the RVN armed forces.

The applicant’s EPRs collectively reflect he flew a total of 1,105 combat sorties, amassing 934 combat flying hours during the period 10 Jan 67 through 30 May 68 while he was assigned to Clarke AB, PI. His EPR for the period 10 Jan 67 through 9 Jan 68 indicates he spent “almost half” of the reporting period in South Vietnam. While he served at Clarke AB until May 69, there is no EPR in the record which documents his service between May 68 and May 69 in terms of the time he may have spent in Vietnam or the combat sorties and hours he may have flown in his capacity as a C-130 Loadmaster.

The remaining relevant facts pertaining to this application are contained in the letter prepared by the appropriate office of the Air Force, which is attached at Exhibit C.

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AIR FORCE EVALUATION:

AFPC/DPSIDR recommends denial of the applicant’s request for the RVCM, indicating they were unable to verify the exact dates of his deployed service to the RVN.

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

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 12 Nov 10 for review and comment within 30 days. As of this date, no response has been received by this office (Exhibit D).

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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.  Sufficient relevant evidence has been presented to demonstrate the existence of an error or injustice warranting award of the RVNCM. We note the comments by AFPC/DPSIDR indicating they were unable to verify the applicant’s entitlement to the requested awards. Nonetheless, after careful review of the evidence of record and the applicant’s complete submission, we are convinced of his entitlement to the requested award. In this respect, we note he provided a substantial amount of direct combat support to the RVN armed forces in terms of combat missions and combat flying hours. In view of his more that 1,100 combat sorties, and 934 combat hours, we find it difficult to believe he could provide such a level of support in less than the 180 days in aggregate required to qualify for the award. Therefore, to preclude any further injustice to the applicant, we recommend his records be corrected as indicated below. We note the Air Force office of primary responsibility has determined the applicant’s eligibility for the remaining requested awards and his records will be corrected administratively. Therefore, we recommend his records be corrected to the extent indicated below.

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THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to the APPLICANT be corrected to show that he was awarded the Republic of Vietnam Campaign Medal (RVNCM).

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The following members of the Board considered AFBCMR Docket Number BC-2010-02189 in Executive Session on 16 Dec 10, under the provisions of AFI 36-2603:

All members voted to correct the records as recommended. The following documentary evidence was considered:

Exhibit A.  DD Form 149, dated 26 May 10, w/atchs.

Exhibit B.  Applicant's Master Personnel Records.

Exhibit C.  Letter, AFPC/DPSIDR, dated 26 Oct 10.

Exhibit D.  Letter, SAF/MRBR, dated 12 Nov 10.