



CUI//SP-MIL/SP-PRVCY
UNITED STATES AIR FORCE
BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2018-02992

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge*, be amended to reflect:

- a. Award of the Vietnam Service Medal (VSM).
- b. Vietnam service time added to block 24.

APPLICANT'S CONTENTIONS

He had substantial service in Vietnam and recently noticed it is not reflected on his DD Form 214.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former senior airman (E-4).

On 2 Oct 70, the applicant was released from active duty and credited with 3 years, 11 months and 23 days of active service. His DD Form 214, Item 24, *Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized*, indicates he was awarded the National Defense Service Medal (NDSM), the Armed Forces Expeditionary Medal (AFEM) and the Air Force Good Conduct Medal (AFGCM).

In a letter dated 16 Jan 19, the applicant was notified AFPC/DP3AM was able to verify Foreign Service time in Japan and Taiwan. They were able to confirm the applicant's boots on ground Foreign Service time in Japan from 20 Jul 67 to 20 Jul 69; Taiwan from 21 Jul 69 to 1 Oct 70. While assigned to Taiwan, the applicant performed temporary duty to the Republic of Vietnam; however, no additional Foreign Service time will be awarded since it was performed from another overseas location. The amount of Foreign Service time reflected on the applicant's DD Form 214 is correct.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit C.

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Controlled by: SAF/MRB
CUI Categories: SP-MIL/SP-PRVCY
Limited Dissemination Control: N/A
POC: SAF.MRBC.Workflow@us.af.mil

AIR FORCE EVALUATION

AFPC/DP3SP recommends denial of the applicant’s request for the VSM. According to AFM 36-2806, the VSM is awarded to any member of the U.S. Armed Forces serving in Vietnam, contiguous waters, or air space, including service in Thailand, Laos, Cambodia, or their air space, on or after 4 Jul 65 through 28 Mar 73.

Correspondence was sent to the applicant on 18 Nov 19 requesting additional documentation to possibly administratively correct the applicant’s record and award the VSM. However, he has not responded. To grant relief would be contrary to the criteria established by the DoDI/M 1348.33 and AFMAN 36-2806.

The complete advisory opinion is at Exhibit C.

APPLICANT’S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 28 Oct 21 for comment (Exhibit D), but has received no response.

FINDINGS AND CONCLUSION

1. The application was not timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is not the victim of an error or injustice. The Board concurs with the rationale and recommendation of AFPC/DP3SP and finds a preponderance of the evidence does not substantiate the applicant’s contentions. The Board also notes the applicant did not file the application within three years of discovering the alleged error or injustice, as required by Section 1552 of Title 10, United States Code, and Air Force Instruction 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*. The Board does not find it in the interest of justice to waive the three-year filing requirement. Therefore, the Board finds the application untimely and recommends against correcting the applicant’s records.

RECOMMENDATION

The Board recommends informing the applicant the application was not timely filed; it would not be in the interest of justice to excuse the delay; and the Board will reconsider the application only upon receipt of relevant evidence not already presented.

CERTIFICATION

The following quorum of the Board, as defined in Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2020-02909 in Executive Session on 27 Jul 22:

-  *Work-Product*, Panel Chair
-  *Work-Product*, Panel Member
-  *Work-Product*, Panel Member

All members voted against correcting the record. The panel considered the following:

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Exhibit A: Application, DD Form 149, w/atchs, dated 23 Jul 18.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 2 Oct 21.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 28 Oct 21.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

3/27/2023

Work-Product

Board Operations Manager, AFBCMR
Signed by: USAF