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**UNITED STATES AIR FORCE
BOARD FOR CORRECTION OF MILITARY RECORDS**

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2018-03373

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COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Report of Separation from Active Duty*, be updated to reflect the Vietnam Service Medal or Armed Forces Expeditionary Medal.

APPLICANT'S CONTENTIONS

He served in Thailand for 30 days. He was on temporary duty assignment to a bomb wing which carried out bombing sorties in Laos, Cambodia, and certain sites in South Vietnam.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an honorably discharged Air Force sergeant (E-4).

On 12 Jun 73, according to DD Form 4, *Enlistment Contract – Armed Forces of the United States*, the applicant entered the Regular Air Force.

On 11 Jun 77, according to DD Form 214, the applicant was released from active duty and transferred to the Air Force Reserve. Item 24, *Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized*, reflects: National Defense Service Medal; Air Force Longevity Service Award; Air Force Good Conduct Medal. He was credited with 4 years, 3 months, and 19 days of active service. He was also credited with 8 months of foreign service.

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

AIR FORCE EVALUATION

AFPC/DP3SP (Recognition Program) recommends denying the application. In accordance with AFMAN 36-2806, *Awards and Memorialization Program*, dated 10 Jun 19, the Vietnam Service Medal 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. To qualify for award of the Vietnam Service Medal a member must meet one of the following qualifications: Be attached to or regularly serve for one or more days with an organization participating in or directly supporting military operations; Be attached to or regularly

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serve for one or more days aboard a naval vessel directly supporting military operations; Actually, participate as a crewmember in one or more aerial flights into airspace above Vietnam and contiguous waters directly supporting military operations; serve on temporary duty for 30 consecutive days or 60 nonconsecutive days in Vietnam or contiguous areas, except that time limit may be waived for personnel participating in actual combat operations. No person is entitled to more than one award of the Vietnam Service Medal. Members who qualified for the Armed Forces Expeditionary Medal for reason of service in Vietnam between 1 Jul 58 and 3 Jul 65 (inclusive) remain qualified for that medal. Upon request, any such member may be awarded the Vietnam Service Medal instead of the Armed Forces Expeditionary Medal. In such instances, the Armed Forces Expeditionary Medal is deleted from the list of authorized medals in personnel records. No person is entitled to both awards for service in Vietnam.

The Armed Forces Expeditionary Medal is awarded to members of the U.S. Armed Forces who, after 1 Jul 58, participated in U.S. military operations, U.S. operations in direct support of the United Nations, or U.S. operations of assistance for friendly foreign nations. The Joint Chiefs of Staff designates operations that qualify for the Armed Forces Expeditionary Medal, specifies the degree of participation required, and defines the area of operations. To be eligible, service members must be bona fide members of a unit participating in or be engaged in the direct support of the operation for 30 consecutive days in the area of operations (or for the full period when an operation is less than 30 days duration), or for 60 nonconsecutive days provided the support involved entering the area of operations or met one or more of the following criteria: Be engaged in actual combat, or duty which is equally as hazardous as combat duty, during the operation with armed opposition, regardless of time in the area: Is wounded or injured and requires medical evacuation from the area of eligibility while participating in the operation, regardless of time; Accumulate 15 days service (consecutive/nonconsecutive) while participating as a regularly assigned crewmember of an aircraft flying sorties into, out of, within, or over the area in direct support of the military operation. One day's service is credited for the first sortie flown on any day. Additional sorties flown on the same day receive no further credit. Prior to 1 Dec 95, members on aircrew status were only required to fly over or into the area of eligibility for one day during the conflict to qualify for the medal. Under no condition will members receive the Armed Forces Expeditionary Medal and another campaign medal for the same period of service, unless authorized by the Department of Defense. Service members who earned the Armed Forces Expeditionary Medal for Operation FREQUENT WIND between 29 and 30 Apr 75 may elect to receive the Vietnam Service Medal instead of the Armed Forces Expeditionary Medal. No service member may be issued both medals for service in Vietnam.

After a thorough review of the applicant's official military personnel record and provided documentation, award of the Vietnam Service Medal or the Armed Forces Expeditionary Medal are unable to be verified. There was no documentation provided or located within the applicant's records to verify deployment to Thailand in support of Cambodian Support Operation, rendering the applicant ineligible for award of the Vietnam Service Medal and Armed Forces Expeditionary Medal. To grant relief would be contrary to the criteria established by 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 1 Mar 23 for comment (Exhibit D) but has received no response.

ADDITIONAL AIR FORCE EVALUATION

AFPC/DP3AM (Directorate of Assignments) recommends denying the application. A review of the applicant’s military personnel record did not contain evidence to support service in Thailand.

The complete advisory opinion is at Exhibit E.

APPLICANT’S REVIEW OF ADDITIONAL AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 10 Oct 23 for comment (Exhibit F) 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 AFPC/DP3AM and finds a preponderance of the evidence does not substantiate the applicant’s contentions. Therefore, the Board recommends against correcting the applicant’s records. There is no evidence to verify the applicant’s service in Thailand in support of Cambodian Support Operation for award of the Vietnam Service Medal or Armed Forces Expeditionary Medal. 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 Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*. While the applicant asserts a date of discovery within the three-year limit, the Board does not find the assertion supported by a preponderance of the evidence. The Board does not find it in the interest of justice to waive the three-year filing requirement and finds the application untimely.

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 DAFI 36-2603, paragraph 2.1, considered Docket Number BC-2018-03373 in Executive Session on 14 Dec 23:

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

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 2 Aug 18.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 1 Mar 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 1 Mar 23.
- Exhibit E: Advisory Opinion, AFPC/DP3AM, dated 4 Oct 23.

Exhibit F: Notification of Advisory, SAF/MRBC to Applicant, dated 10 Oct 23.

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.

11/15/2024

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Board Operations Manager, AFBCMR

Signed by *Work-Product*