



Work-Product

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

ADDENDUM TO RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2019-03634-2

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COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT’S REQUEST

The Board reconsider his request to have his DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge*, Block 30, *Remarks*, reflect Foreign Service in Vietnam.

RESUME OF THE CASE

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

On 18 Mar 20, the Board considered and denied his request to correct his DD Form 214 to show Foreign Service in Vietnam; finding that the application was untimely. They further concurred with AFPC/DP3AM that a preponderance of the evidence did not substantiate the applicant’s contentions. Specifically, the applicant’s master personnel records and documentation submitted by the applicant failed to substantiate Foreign Service in the Republic of Vietnam.

For an accounting of the applicant’s original request and the rationale of the earlier decision, see the AFBCMR Letter and Record of Proceedings at Exhibit F.

On 25 July 22, the applicant requested reconsideration of his request. He again contends that his DD FM 214 should reflect Vietnam and states that there are records that show he was in Vietnam on many missions, but he can’t find them at the right National Archives. In addition, he provides an e-mail, that appears to be a letter to the Board regarding the timeliness of his application and further explanation of why his case should be approved. In the e-mail he states that he only recently discovered the error after he was diagnosed with prostate cancer and the Department of Veterans Affairs (VA) denied his claim of being exposed to Agent Orange in Vietnam. He then goes onto reiterate that he flew 10 combat missions and the only combat zone at that time was the Republic of Vietnam. In support of his reconsideration request, the applicant submitted the following new evidence: (1) A letter from the VA, dated 29 Oct 19, that indicates when the applicant was notified of the need to have his records show that he served in the Republic of Vietnam; (2) Letters from the National Archives showing the delay in his requests to obtain his military records; (3) Special Order ^{Work-Pr...} dated 13 Dec 71, which shows that he was awarded the Basic Aircrew Member Badge for participating in at least 10 combat missions as a crew member in a designated combat zone; (4) A DD FM 1351-2, *Travel Voucher or Subvoucher*, showing an itinerary beginning on 10 Oct 71 and ending on 19 Oct 71 with travel from Travis Air Force Base (AFB) to Wake Island, Clark Air Base (AB), “U-BOU,” Yokota AB, and a return to Travis AFB.

The applicant’s complete submission is at Exhibit G.

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On 15 Feb 23, a Boots on Ground (BOG) letter was sent to the applicant from AFPC/DP3AM confirming Foreign Service time in Hawaii and Guam, from 10 April 1971 to 14 April 1971, for 5 days; and Wake Island, Republic of the Philippines, Thailand, and Japan from 12 October 1971 to 15 October 1971, for 4 days.

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

APPLICABLE AUTHORITY/GUIDANCE

Title 10, United States Code, Section 1168: Discharge or release from active duty: limitation; DoDI 1336.01, *Certificate of Release or Discharge from Active Duty (DD Form 214/5 Series)*; AFI 36-3202, *Certificate of Release or Discharge from Active Duty (DD Form 214/5 Series)*; DD Form 214 Total Force Personnel Services Delivery Guide. The DD Form 214 is prepared in accordance with the aforementioned publications and is used to record qualifying active duty service. Foreign Service locations are not an authorized entry on the DD Form 214. Foreign Service is annotated in increments of years, months, and days.

The Air Force Personnel Center Assignment Policy Directorate (AFPC/DP3AM) is responsible for determining an Air Force member's Foreign Service. Since specific locations are not annotated on the DD Form 214, they will prepare a Boots-on-Ground letter if they are able to verify a member served at a specific foreign location. This letter may be used to validate overseas service.

AIR FORCE EVALUATION

AFPC/DP3AM recommends denying the application. While DP3AM confirmed Foreign Service in Hawaii, Guam, Wake Island, Republic of the Philippines, Thailand, and Japan, the documentation provided and the master personnel records does not contain information to confirm that he served in the Republic of Vietnam.

The complete advisory opinion is at Exhibit I.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 16 Feb 23 for comment (Exhibit J), but has received no response.

The applicant's complete response is at Exhibit K.

FINDINGS AND CONCLUSION

1. The application was timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board remains unconvinced the evidence presented demonstrates an error or injustice. The Board concurs with the rationale and recommendation of AFPC/DP3AM and finds a preponderance of the evidence does not substantiate the applicant's contentions. The Board notes that while the applicant provided evidence that he flew 10 combat missions this does not confirm that he had boots on ground in Vietnam. In addition, the travel voucher he provided also does not show evidence that he was in Vietnam. Therefore, the Board recommends against correcting the applicant's records.

RECOMMENDATION

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, 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 Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2019-03634-2 in Executive Session on 9 May 2023:

- 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 F: Record of Proceedings, w/ Exhibits A-E, dated 18 Mar 20.
- Exhibit G: Application, DD Form 149, w/atchs, dated 25 Jul 22.
- Exhibit H: Documentary evidence, including relevant excerpts from official records.
- Exhibit I: Advisory Opinion, AFPC/DP3AM, dated 15 Feb 23.
- Exhibit J: Notification of Advisory, SAF/MRBC to Applicant, dated 16 Feb 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.

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