

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2019-03926

XXXXXX

COUNSEL: XXXX

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Report of Separation from Active Duty*, be corrected to reflect he was awarded the Vietnam Service Medal (VSM).

APPLICANT'S CONTENTIONS

On 11 Apr 72, he was a <redacted> aircraft that flew a round-robin (non-stop) mission, in support of fighter movements, that originated and terminated at Anderson AFB, Guam. The mission route was from Guam towards Ubon, Thailand and back, crossing over Qui Nhon VOR (VHF Omni-range radio) beacon, Vietnam. Subsequent to that mission, he was awarded the VSM and received the following month's pay tax free.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a retired Air Force Reserve chief master sergeant (E-9).

According to DD Form 214 for period of service 3 Mar 71 to 2 Mar 75 provided by the applicant as an attachment to his rebuttal to the AFPC/DP3SP advisory, he was credited with 6 months and 18 days of Foreign Service. Block 26, *Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized*, reflects award of the Air Force Longevity Service Award and the Air Force Good Conduct Medal with one Bronze Oak Leaf Cluster.

On 5 Nov 19, the Air Force Personnel Center (AFPC) Recognition Team informed the applicant they were unable to verify award of the VSM. They requested additional source documents, such as a travel voucher, AF Form 7, and/or evaluation reports placing him in the area of responsibility. In addition, they informed him that if AFPC did not receive additional documents pertaining to his request for the VSM within 30 days, his case would be referred to the Board.

For more information, see the excerpt of the applicant's record at Exhibit B, the advisories at Exhibit C and Exhibit F, and the applicant's responses to advisories at Exhibit E and Exhibit H.

APPLICABLE AUTHORITY/GUIDANCE

Air Force Manual (AFMAN) 36-2608, *Awards and Memorialization Program*. 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 July 1965 through 28 March 1973. To qualify for award of the Vietnam Service Medal a member must be attached to or regularly serve for 1 or more days with an organization participating in or directly supporting military operations or 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.

AIR FORCE EVALUATION

AFPC/DP3AM recommends denying the application. A review of the applicant's master personnel record, and documentation provided by the applicant, failed to substantiate any service time in the Republic of Vietnam.

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 12 Sep 19 for comment (Exhibit D), and the applicant replied on 7 Oct 19. In his response, the applicant contended on 11 Apr 72, while assigned to the w... Weather Reconnaissance Squadron as a <redacted> he participated in a mission that departed Anderson AFB, Guam, proceeded to and coasted in at the Qui Nhon, Vietnam VOR, flew alongside the Cambodia/Laos boarder to Thailand then executed a 180 degree turn, and proceeded back to Anderson AFB via the same routing. A few months later, he received the VSM and his pay was tax free for one month for that mission.

The applicant's complete response is at Exhibit E.

AIR FORCE EVALUATION

AFPC/DP3SP recommends denying the application. After a thorough review of the applicant's official military record, and documentation provided by the applicant, they were unable to verify that he met the established eligibility criteria for the award of the VSM. On 5 Nov 19, he was sent a memo requesting additional documentation in order to possibly administratively correct the record, however, a response has not been received .

The complete advisory opinion is at Exhibit F.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 5 Nov 21 for comment (Exhibit G), and the applicant replied on 28 Nov 21. In his response, the applicant contended that on 11 Nov 19, he did respond to the request for additional documentation and provides a USPS tracking number printout as evidence. He reiterated his contention that on 11 Apr 72, while assigned as a <redacted>, he participated in flight operations that coasted into Vietnam at the Qui Nhon VOR.

The applicant's complete response is at Exhibit H.

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 the victim of an error or injustice. While the Board notes the comments of AFPC/DP3SP denying relief, the board majority believes the applicant provided sufficient evidence to confirm that on 11 Apr 72, he participated in one combat support mission over Vietnam and thus met the eligibility criteria for the award of the Vietnam Service Medal. Therefore, the Board recommends correcting the applicant's records as indicated below.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to the APPLICANT be corrected to show that his DD Form 214, *Report of Separation from Active Duty*, dated 2 Mar 75, be amended to reflect he was awarded the Vietnam Service Medal (VSM).

CERTIFICATION

The following quorum of the Board, as defined in Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2019-03926 in Executive Session on 6 Apr 22:

, AFBCMR
, Panel Member
, Panel Member

A majority of the panel voted to correct the record. **Work-Product** voted not to correct the record and did not provide a minority opinion. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 30 Jul 19.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3AM, dated 11 Sep 19.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 12 Sep 19.
- Exhibit E: Applicant's Response, dated 7 Oct 19.
- Exhibit F: Advisory Opinion, AFPC/DP3SP, dated 9 Oct 21.
- Exhibit G: Notification of Advisory, SAF/MRBC to Applicant, dated 5 Nov 21.
- Exhibit H: Applicant's Response, w/atchs, dated 28 Nov 21.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.