
RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2019-04057

XXXXXXXXXXXXXXXXXX

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His records be corrected to reflect award of the Armed Forces Expeditionary Medal, and the Vietnam Service Medal.

APPLICANT'S CONTENTIONS

He was assigned to the 388th Munitions Maintenance Squadron, Korat Royal Thai Air Force Base, Thailand. As a weapons loader crew chief, he loaded munitions on A-7 aircraft, armed and de-armed them as they took off and returned from their sorties in direct support of Operations FREQUENT WIND, EAGLE PULL, and the MAYAGÜEZ incident.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force sergeant (E-4).

On 11 Nov 71, the applicant entered the Regular Air Force.

On 19 Jul 75, the applicant was honorably discharged, having served 3 years, 8 months, and 9 days of active service, to include 2 years, 11 months, and 4 days of foreign service.

On 3 Feb 20, the Air Force Personnel Center (AFPC) Recognitions Team requested the applicant provide additional source documents in support of his request for the Vietnam Service Medal or the Armed Forces Expeditionary Medal, such as; travel vouchers, AF Form 7, *Airman Military Record*, and/or AF Form 104, *Service Medal Award Verification*, placing him in the area of responsibility and verifying his participation in Operations FREQUENT WIND, EAGLE PULL, or MAYAGÜEZ.

On 15 May 20, the applicant responded to the AFPC Recognitions Team request by providing documentation showing the 388th Munitions Maintenance Squadron was awarded the Air Force Outstanding Unit Awards (AFOUA) w/Valor for the periods 15 Oct 74 to 12 May 75, and 13 May 75 to 15 May 75.

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

AIR FORCE EVALUATION

AFPC/DP3SP recommends denying the applicant's request for award of the Vietnam Service Medal and Armed Forces Expeditionary Medal. According to Air Force Manual (AFMAN) 36-2806, *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 Jul 65 through 28 Mar 73. The applicant was assigned to the 388th Munitions Maintenance Squadron, Korat Royal Thai Air Force Base, Thailand, between 24 Jul 74 and 19 Jul 75, which is prior to the award authorization dates for the Viet Nam Service Medal.

Armed Forces Expeditionary Medal:

Operation FREQUENT WIND: The Armed Forces Expeditionary Medal is awarded for participation in support of Operation FREQUENT WIND. The area of responsibility for Operation FREQUENT WIND is Vietnam between 29 and 30 Apr 75. A participant in Operation FREQUENT WIND may elect to receive the Vietnam Service Medal instead of the Armed Forces Expeditionary Medal. There is no official documentation verifying the applicant served in direct support of Operation FREQUENT WIND.

Operation EAGLE PULL: The Armed Forces Expeditionary Medal is awarded for participation in support of Operation EAGLE PULL, for the inclusive period 11 Apr 75 to 13 Apr 75. The area of eligibility consists of Cambodia. There is no documentation in the applicant's record reflecting service in Cambodia during the inclusive period.

Operation MAYAGÜEZ: The Armed Forces Expeditionary Medal is awarded for participation in support of Operation MAYAGÜEZ for the inclusive period of 15 May 75 to 15 May 75. The area of eligibility consists of the USS Mayagüez. There is no documentation in the applicant's record verifying his participation in the recovery of the USS Mayagüez during the inclusive period.

They sent correspondence to the applicant on 3 Feb 20, requesting additional documentation to possibly administratively correct his record and award the aforementioned medals. On 15 May 20, the applicant responded, but was unable to provide additional documentation supporting verification of the Vietnam Service Medal or Armed Forces Expeditionary Medal. To grant relief would be contrary to the criteria established by law or the Secretary of the Air Force per AFMAN 36-2806.

Notwithstanding, they were able to verify award of the AFOUA w/Valor and one Bronze Oak Leaf Cluster. Accordingly, his record will be administratively corrected following the Board to reflect that award.

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 3 Nov 21, for comment (Exhibit D), and the applicant replied on 17 Dec 21. In his response, the applicant contended the reason there is nothing in his records about his participation in Operations FREQUENT WIND, EAGLE PULL, and MAYAGÜEZ, is there were no performance reports or other documents about his service in Thailand put in his records. This is wrong, and should not be held against him. While he did not have boots on the ground in Vietnam, Cambodia, or the USS Mayaguez; his DD Form 214, *Certificate of Release or Discharge from Active Duty*, separation records, award of the two AFOUAs covering the period of the three operations, should verify his participation in the three operations, thus, meeting the requirements of the requested Armed

Forces Expeditionary Medal. In support of his request, he submitted his personnel records obtained from the National Personnel Records Center.

The applicant's complete response is at Exhibit E.

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. Although AFPC/DP3SP administratively awarded the applicant the AFOUA w/V and 1 BOLC, based on the citation (15 Oct 74 to 12 May 75) recognizing Operations EAGLE PULL and FREQUENT WIND, there is no evidence he served in the area of eligibility (Cambodia and USS Mayagüez) to qualify for the Armed Forces Expeditionary Medal. Should the applicant provide evidence he served in those locations, the Board will be willing to reconsider his request for the 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 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 (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2019-04057 in Executive Session on 15 Dec 21:

, Panel Chair
, Panel Member
, Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 4 Aug 19.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 11 Oct 21.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 17 Dec 21.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings pertaining to Docket Number BC-2019-04057, as required by AFI 36-2603, paragraph 4.11.9.

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