

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2020-00144

XXXXXXXXXXXXXX

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge*, Item 26, *Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized*, be corrected to include the following:

- a. Vietnam Service Medal.
- b. Air Force Outstanding Unit Award. **(Will be administratively resolved)**

APPLICANT'S CONTENTIONS

He served with the 1370th Photo Mapping Wing, 1370th Organizational Maintenance Squadron from Jun 63 until 17 Jun 66. From 25 Apr 66 until 9 Jun 66, the Aerial survey Team 1 (AST-1) of the 1370th Photomapping Wing participated in the Vietnam War by supporting Headquarters Air Force Project RAZOR CLAIM (AF 66-81) with Aerial Electronic Surveying from RC-130s collecting photography of 13 points in Vietnam and off its coast.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force airman first class (E-4).

On 19 Jun 62, the applicant initially entered the Regular Air Force.

On 17 Jun 66, the applicant was honorably discharged, and was credited with 3 years, 11 months, and 29 days of active service, to include 10 months and 28 days of foreign service.

On 25 Mar 21, the Air Force Personnel Center (AFPC) Recognitions Team sent a memorandum to the applicant notifying him they verified his eligibility for the Air Force Outstanding Unit Award, and requested he provide additional documentation such as paid travel vouchers and/or Special Orders placing him in the area of responsibility and for how long, that would support his request for award of the Vietnam Service Medal.

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. According to Air Force Manual (AFMAN) 36-2806, *Awards and Memorialization Program*, paragraph A15.2, 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. 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. Based on the official record and documentation provided by the applicant, there is no evidence the applicant qualifies for the Vietnam Service Medal. Additionally, they sent a letter to the applicant on 25 Mar 21 requesting additional documentation to possibly allow them to administratively correct his record and award the Vietnam Service Medal. Unfortunately, the applicant has not responded as of the date of their advisory. To grant relief would be contrary to the criteria established by AFMAN 36-2806.

Notwithstanding, they were able to verify award of the Air Force Outstanding Unit Award, which will be administratively corrected.

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 23 Jan 23 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. Specifically, the applicant's official records and documentation he submitted did not support he met the criteria for award of the Vietnam Service 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 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. Therefore, the Board finds the application untimely and recommends against correcting the applicant's records beyond that rendered administratively.

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, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2020-00144 in Executive Session on 18 May 23:

, 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 9 Oct 19.

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

Exhibit C: Advisory Opinion, AFPC/DP3SP, w/atch, dated 18 Nov 22.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 23 Jan 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.

X

Board Operations Manager, AFBCMR