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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2020-01633

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COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge*, be corrected to add the following:

- a. Vietnam Service Medal (**Pending administrative correction**)
- b. Republic of Vietnam Campaign Medal

APPLICANT'S CONTENTIONS

He was in Vietnam and wants his DD Form 214 to reflect his service and identify the medals he has earned for his service.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force sergeant (E-4) who entered the Regular Air Force on 12 May 66.

The applicant's AF Form 909, *Airman Performance Report*, for the period 12 Mar 68 through 1 Oct 68, indicates "With this heavy work load he still maintained his fully qualified status as a Combat Aircrew Member, flying numerous combat missions into the Republic of Vietnam."

On 31 Oct 23, following a review of the applicant's AF Form 909, for the period ending 1 Oct 68, AFPC/DP3SP (Recognition Program) indicated they would administratively correct the applicant's record. AF Form 909 indicates the applicant actually participated as a crewmember in one or more aerial flights into airspace above Vietnam and contiguous waters directly supporting military operations; accordingly, according to Air Force Manual (AFMAN) 36-2806, *Awards and Memorialization Program*, AFPC/DP3SP verified he qualifies for the Vietnam Service Medal.

On 11 Mar 70, according to DD Form 214, the applicant was released from active duty and transferred to the Air Force Reserve. He was credited with 1 year, 3 months, and 2 days of foreign service. Item 24, *Decorations, Medals, Badges, Commendations, Citations, and Campaign Ribbons Awarded or Authorized*, reflects: National Defense Service Medal and Air Force Good Conduct Medal.

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

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AIR FORCE EVALUATION

AFPC/DP3SP (Recognition Program) recommends denying the application. According to AFMAN 36-2806, paragraph A15.2, 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 who were attached to or regularly serve for one or more days with an organization participating in or directly supporting military operations. Were attached to or regularly serve for one or more days aboard a navy 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, or who serve on temporary duty for 30 consecutive days or 60 nonconsecutive days in Vietnam or contiguous areas. This time limit may be waived for personnel participating in actual combat operations.

According to paragraph A12.9.5, the Republic of Vietnam Campaign Medal is awarded to members of the U. S. Armed Forces who between 1 Mar 61 and 28 Mar 73 served for 6 months in South Vietnam during the above dates or served outside the geographical limits of South Vietnam and contributed combat support to the Republic of Vietnam Armed Forces for an aggregate of 6 months. Only members of the U.S. Armed Forces who meet the criteria established for the Air Force Expeditionary Medal (Vietnam) or the Vietnam Service Medal during the period of service required are considered to have contributed direct combat support to the Republic of Vietnam Armed Forces, or did not complete the length of service required as listed above, but who, during wartime were either wounded by the enemy in a military action, or captured by the enemy during action or in the line of duty, but later rescued or released, or killed in action or in the line of duty.

Correspondence was sent to the applicant on 6 Oct 21 requesting additional documentation. Unfortunately, a response has not been received from the applicant. The applicant provided Special Order Work-P..., dated 24 Oct 68, from 6217th Combat Support Group, Pacific Air Forces, Taiwan. Taiwan is not an area of responsibility for award of the Vietnam Service Medal or the Republic of Vietnam Campaign Medal. Based on the documentation presented and a review of the applicant's official record, there is no evidence of error or injustice as the applicant does not meet the criteria for award of the Vietnam Service Medal and the Republic of Vietnam Campaign Medal.

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 15 Mar 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 and finds a preponderance of the evidence does not substantiate the applicant's contentions. The Board concurred with AFPC/DP3SP there is no evidence the applicant meets the eligibility requirement for the Republic of Vietnam Campaign Medal. Notwithstanding, the Board

notes although AFPC/DP3SP initially recommended denying the applicant’s request for award of the Vietnam Service Medal; based on a review of the applicant’s official record, specifically AF Form 909, AFPC/DP3SP was able to verify the applicant’s eligibility for award of the Vietnam Service Medal. Accordingly, his record will be administratively corrected to add the Vietnam Service Medal and does not require Board action. 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)*. The Board does not find it in the interest of justice to waive the three-year filing requirement. Therefore, other than the administrative correction that will be made to the applicant’s record, 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 DAFI 36-2603, paragraph 2.1, considered Docket Number BC-2020-01633 in Executive Session on 21 Sep 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 12 Mar 20.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SP, w/atchs, dated 17 Jan 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 15 Mar 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.

11/6/2023

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Board Operations Manager, AFBCMR
Signed by: Work-Product