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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2020-01686

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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*, effective 5 February 1973, be amended to reflect the following:

- a. Time served in Vietnam.
- b. Small Arms Expert Marksmanship Ribbon

APPLICANT'S CONTENTIONS

He was assigned to [redacted] as a line navigator on a C-141A aircraft. Between March and November of 1972, he participated in "in country" missions in the Vietnam Theater. He provided Individual Flight Records verifying combat mission hours. Further, as an airman in basic training he scored 59 out of 60 shots at target training with an M-16. As an officer trainee, he scored 25 out of 25 with a .38 revolver.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force first lieutenant (O-2).

On 16 March 1971, according to DD Form 214, the applicant entered active duty.

On 5 February 1973, according to DD Form 214, the applicant was honorably released in the rank of first lieutenant and transferred to the Air Force Reserve. He served 2 years, 7 months, and 20 days total active service and credited with 3 months of Foreign and/or SEA service.

According to AF Form 77, *Company Grade Officer Effectiveness Report*, for the period 12 January 1972 thru 11 July 1972, Section VII. Comments, reflects, "I have flown with him on an extended airlift mission to Southeast Asia..."

According to DD Form 1351-2, *Travel Voucher or Subvoucher*, date stamped 15 November 1972, reflects one day in [redacted] on 9 November 1972.

On 12 January 2021, AFPC/DP3AM advised the applicant they were able to verify and confirm his boots on ground foreign service time in the Republic of Vietnam; however, the total amount of foreign service could not be determined. The amount of foreign service time reflected on his DD Form 214, is correct. Further, since specific locations are not annotated on a member's DD Form

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214, he was further advised to use this letter as proof of “boots on ground” for the Republic of Vietnam.

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 application. After a thorough review of the applicant’s official military personnel record and provided documentation, to include Individual Flight Records, to possibly provide administrative relief, awards for service in Vietnam, which include the Vietnam Service Medal, the Republic of Vietnam Campaign Medal, and Small Arms Expert Marksmanship Ribbon are unable to be verified.

Per Air Force Manual 36-2806, *Awards and Memorialization Program*, the guidance for the requests follows: 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 meet one of the following qualifications: Be attached to or regularly serve for one or more days with an organization participating in or directly supporting military operations; Be attached to or regularly serve for one or more days aboard a naval 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; 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; No person is entitled to more than one award of the Vietnam Service Medal.

The Republic of Vietnam Campaign Medal was awarded to members of the U.S. Armed Forces who between 1 March 1961 and 28 March 1973 who: Served for six 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 six 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. Were assigned in Vietnam on 20 January 1973 and who served a minimum of 60 calendar days in Vietnam during the period of 29 January 1973 to 28 March 1973.

The Small Arms Expert Marksmanship Ribbon was established by the Secretary of the Air Force on 28 August 1962 and made effective on 1 January 1963. The ribbon is awarded to regular Air Force, Air National Guard and Air Force Reserve members, who, after 1 January 1963, qualify as “Expert” with either the M-16 rifle (to include the M-4 and GAU-5) or an issued handgun on the Air Force qualification course, an appropriate orientation course prescribed in other Air Force Instructions, other Military Services’ qualification course, or who satisfactorily complete the Combat Rifle Program. Members who, after 22 June 1972, qualify as “Expert” with both the M-16 rifle (or M-4 or GAU-5) and an issued handgun, wear a bronze service star on the ribbon. AF Form 522, *Ground Weapons Training Data and USAF Firearms Qualification*, or a letter from the small arms marksmanship monitor is used as the source documentation for this award. Members

who qualify as “Expert” provide a copy of the AF Form 522 or letter to the manpower and personnel flight for update in the member’s personnel records.

It is unable to be determined if the applicant had any additional deployments to the area of responsibility to meet the 30 consecutive days or 60 non-consecutive days for award of the Vietnam Service Medal or an aggregate of six months for award of the Republic of Vietnam Campaign Medal. No supporting documents were located within the applicant’s official military personnel record, such as the AF Form 522, indicating the applicant qualified as “expert” with the .30 Caliber Carbine or M-16 rifle; rendering them ineligible for award of the Small Arms Expert Marksmanship Ribbon. To grant relief would be contrary to the criteria established by AFMAN 36-2806.

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 March 2023 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. The Board notes that AFPC/DP3AM was able to confirm boots on ground foreign service time in the Republic of Vietnam; however, the total amount of foreign service could not be determined. Since specific locations are not annotated on a member’s DD Form 214, the applicant may use the AFPC/DP3AM letter dated 12 January 2021, as proof of “boots on ground” for the Republic of Vietnam. 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, 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-2020-01686 in Executive Session on 15 June 2023:

Work-Product, Panel Chair
Work-Product, Member
Work-Product, Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 28 March 2020.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 7 January 2023.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 15 March 2023.

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.

8/24/2023

X **Work-Product**

Board Operations Manager, AFBCMR
Signed by: **Work-Product**