
RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2021-00983

XXXXXXXXXXXXXXXXXX

COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

Correct his DD Form 214, *Certificate of Release or Discharge from Active Duty*, to reflect his service in the Republic of Vietnam from Mar 66 to Jun 66.

APPLICANT'S CONTENTIONS

For almost four years, with the help from every known office, he has been unsuccessful in acquiring any military records verifying his temporary duty (TDY) assignment in the Republic of Vietnam; no records exist. In support of his request, he attached photographs of himself, taken in Saigon, in 1966.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

From 28 Apr 65 thru 3 Nov 67, the applicant was assigned to 4203 Reconnaissance Technical Squadron (RTS), Beale Air Force Base, California. The unit later redesignated as the 9th Reconnaissance Technical Squadron (RTS). His Duty Air Force Specialty Code (DAFSC):23450, Duty Title: Precision Photographic Processing Specialist.

On 18 May 66, according to 9th Reconnaissance Wing 1966 official history excerpts, provided by the Air Force Historical Research Agency; the 9th RTS was activated, and took over the responsibility of the Strategic Air Relocatable Photographic Facility (SARPF) at Tan Son Nhut Air Base, Republic of Vietnam. As early as Feb 66, the original recommendation was made the facilities and support manning authorization be transferred to the 4200th SRW, as an integral part of the 4203d RTS, now replaced by the 9th RTS.

On 3 Nov 67, according to Special Order A-XXXX, dated 12 Oct 67, the applicant was relieved from assignment 9th RTS, and active duty.

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

AIR FORCE EVALUATION

AFPC/DP3AM recommends denying the application. A review of the applicant's Master Personnel Records and documentation submitted, failed to substantiate foreign service 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 10 Jan 22 for comment (Exhibit D), and the applicant replied on 16 Feb 22. In his response, the applicant contended eyewitness disposition sends people to jail and sometimes to death in courts of law every day. He should be given a fair chance to testify to his Vietnam four months of duty. He shouldn't be penalized because the Air Force got rid of his records.

The applicant's complete response is at Exhibit E.

FINDINGS AND CONCLUSION

1. The application was not timely filed, but it is in the interest of justice to excuse the delay.
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 recommendation of AFPC/DP3AM against correcting the record, the Board finds a preponderance of the evidence substantiates the applicant's contentions in part. In this regard, the Board reviewed the documentation submitted by the applicant, his military personnel record along with the Air Force Historical Research Agency excerpt showing that on 18 May 66, the 9th RTS was activated, and took over the responsibility of the Strategic Air Relocatable Photographic Facility (SARPF) at Tan Son Nhut Air Base, Republic of Vietnam, during the period in question and finds the evidence sufficient that the applicant was in Vietnam from Mar 66 to Jun 66. However, with regard to the applicant's request to correct his DD Form 214 to reflect Vietnam service, the evidence presented did not demonstrate an error or injustice. The DD Form 214 was prepared in accordance with governing instructions in that Foreign Service locations are not an authorized entries on the DD Form 214. Therefore, the Board recommends correcting the applicant's records as indicated below.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show he had Boots-On-Ground in the Republic of Vietnam from 11 March 1966 to 30 June 1966.

However, regarding the remainder of the applicant's request, the Board recommends informing the applicant the evidence did not demonstrate material error or injustice, and the application will only be reconsidered upon receipt of relevant evidence not already considered by the Board.

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-2021-00983 in Executive Session on 9 Aug 22:

, Panel Chair
, Panel Member
, Panel Member

All members voted to correct the record. The panel considered the following:

Exhibit A: Application, DD Form 149, w/atchs, dated 12 Feb 21.
Exhibit B: Documentary evidence, including relevant excerpts from official records.
Exhibit C: Advisory Opinion, AFPC/DP3AM, dated 10 Jan 22.
Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 10 Jan 22.
Exhibit E: Applicant's Response, dated 16 Feb 22.

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.

X

Board Operations Manager, AFBCMR