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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2021-01756

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COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Report of Separation from Active Duty*, be corrected to include the Vietnam Service Medal.

APPLICANT'S CONTENTIONS

He was assigned to the [Work-Product] on Nakhon Phanom RTAFB Thailand from 21 February 1975 to 29 June 1975 and that command participated in Operation Frequent Wind and the USS Mayaguez Incident.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 8 May 1972, according to DD Form 214, the applicant entered active duty. On 14 December 1975, the applicant was honorably released from active duty and transferred to the Air Force Reserve in the grade of sergeant (E-4). He served 3 years, 7 months, and 7 days total active service and 8 months and 15 days of Foreign and/or Sea Service. He was awarded the National Defense Service Medal.

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

APPLICABLE AUTHORITY/GUIDANCE

Air Force Manual 36-2806, *Awards and Memorialization Program*. The Vietnam Service Medal was awarded to all members of the United States Armed Forces who served in Vietnam or contiguous waters or airspace after 3 July 1965, and before 28 March 1973. In addition, personnel serving in Thailand, Laos, or Cambodia in direct support of operations in Vietnam during the same period also were eligible for the Vietnam Service Medal. To be eligible, a service member must be: permanently assigned, attached, or detailed for one, or more, days with an organization participating in or directly supporting ground (military) operations; permanently assigned, attached, or detailed for one, or more, days aboard a naval vessel directly supporting military operations; have actually participated as a crew member in one or more aerial flights directly

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POC: SAF.MRBC.Workflow@us.af.mil

supporting military operations; have served on temporary duty for 30 consecutive days or 60 non-consecutive days.

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 possibly provide administrative relief, award of the Vietnam Service Medal is unable to be verified. The applicant's dates of service in Thailand were from 21 February 1975 to 29 June 1975, which is past the authorized award period; rendering him ineligible for award of the Vietnam Service Medal. 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 26 April 2023 for comment (Exhibit D) but has received no response.

FINDINGS AND CONCLUSION

1. The application was not timely filed. 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 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 and does not find it in the interest of justice to waive the three-year filing requirement.
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. Therefore, the Board 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 Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2021-01756 in Executive Session on 5 December 2023:

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, Panel Chair

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, Panel Member

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, Panel Member

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

Exhibit A: Application, DD Form 149, w/atchs, dated 22 April 2021.

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

Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 20 January 2023.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 26 April 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.

6/9/2025

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Board Operations Manager, AFBCMR

Signed by:

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