



Work-Product

UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2021-03272

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Report of Separation From Active Duty*, be amended to reflect the Vietnam Service Medal.

APPLICANT'S CONTENTIONS

He served 45 consecutive days at Work-Product, and 195 cumulative days in Work-Product Air Force Base in direct support of combat operations as a Weapons Control Systems Mechanic on F4-C and F4-D aircraft which flew daily combat sorties over Vietnam.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an honorably discharged Air Force sergeant (E-4).

On 4 Sep 70, according to DD Form 214, the applicant entered active duty in the Regular Air Force.

According to evaluation performance reports for periods ending 16 Sep 71 and 31 Aug 72, the applicant's organization and location reflect Avionics Maintenance Squadron, Work-Product Work-Product

On 3 Sep 74, he was released from active duty and transferred to the Air Force Reserve. He was credited with 4 years of active service and 1 year and 3 months of Foreign Service. Block 19, *Indochina or Korea Service Since August 5, 1964*, reflects 240 days. Block 26, Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized reflects: National Defense Service Medal (NDSM) and Air Force Good Conduct Medal (AFGCM).

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

AFBCMR Docket Number BC-2021-03272

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Controlled by: SAF/MRB
CUI Categories: Work-Product
Limited Dissemination Control: N/A
POC: SAF.MRBC.Workflow@us.af.mil

AIR FORCE EVALUATION

AFPC/DP3SP (Recognition Program) recommends denying award of the Vietnam Service Medal. According to AFMAN 36-2806, *Awards and Memorialization Program*, the Vietnam Service Medal is awarded to any member of the United States 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. To qualify for award of the medal, a member must have been attached to or regularly served for one or more days with an organization participating in or directly supporting military operations, been attached to or regularly served for one or more days aboard a naval vessel directly supporting military operations, participated as a crewmember in one or more aerial flights into airspace above Vietnam and contiguous waters directly supporting military operations, or have served on temporary duty for 30 consecutive days or 60 non-consecutive days in Vietnam or contiguous areas.

After a thorough review of the applicant's official military personnel record and provided documentation provided, they were unable to verify the applicant served in Vietnam, contiguous waters or air space, or in Thailand, Laos, Cambodia, or their air space, during the eligibility period for the award. To grant relief would be contrary to 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 21 Jun 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. Therefore, the Board recommends against correcting the applicant's records. 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)*. 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 and finds the application untimely.

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-2021-03272 in Executive Session on 25 Jan 24:

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 30 Sep 21.

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

Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 10 Feb 23.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 21 Jun 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.

1/11/2025

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Board Operations Manager, AFBCMR

Signed by: *Work-Product*