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

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RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-02695

Work-Product

COUNSEL: Work-Product

HEARING REQUESTED: Work-Product

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APPLICANT'S REQUEST

He be awarded the Vietnam Service Medal.

APPLICANT'S CONTENTIONS

While assigned to Work-Product, he participated in a highly classified mission for four years and spent more than 30 days in Vietnam. However, the trips to Vietnam were part of his job and he never received travel orders.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a retired Air Force major (O-4).

On 31 Mar 80, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant was released from active duty for the purpose of retirement and credited with 20 years, 2 months, and 26 days of total active service, and 6 years and 3 months of foreign service. Item 13, *Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized*, reflects the Armed Forces Expeditionary Medal and various other awards.

On 18 Aug 22, the Air Force Personnel Center (AFPC) Director of Complaints Resolution responded to a congressional inquiry regarding the Vietnam Service Medal submitted on behalf of the applicant. Their response indicated they had conducted a thorough review of the applicant's official military personnel record and were unable to verify award of the Vietnam Service Medal. They noted that according to Air Force Manual (AFMAN) 36-2806, *Awards and Memorialization Program*, a service member who earned the Armed Forces Expeditionary Medal for service in Vietnam between 1 Jul 58 and 3 Jul 65 may elect to receive the Vietnam Service Medal instead; however, no member may be issued both medals for service in Vietnam. They advised that if the applicant has official documentation verifying the Armed Forces Expeditionary Medal reflected on his DD Form 214 was awarded for service in Vietnam, he could submit a request to the AFPC Recognitions Office for further consideration.

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

APPLICABLE AUTHORITY/GUIDANCE

AFBCMR Docket Number BC-2022-02695

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Executive Order 10977, *Establishing the Armed Forces Expeditionary Medal*, dated 4 Dec 61; DoDM 1348.33, Volume 2, *Manual of Military Decorations and Awards: DoD Service Awards-Campaign, Expeditionary, and Service Medals*; AFMAN 36-2806, *Awards and Memorialization Program*.

The Armed Forces Expeditionary Medal is awarded to members of the U.S. Armed Forces who, after 1 Jul 58, participated in U.S. military operations, U.S. operations in direct support of the United Nations, or U.S. operations of assistance for friendly foreign nations. The Joint Chiefs of Staff designates operations that qualify for the Armed Forces Expeditionary Medal, specifies the degree of participation required, and defines the area of operations.

To be eligible, service members must be bona fide members of a unit participating in or be engaged in the direct support of the operation for 30 consecutive days in the area of operations (or for the full period when an operation is less than 30 days duration), or for 60 nonconsecutive days provided the support involved entering the area of operations or met one or more of the following criteria: Be engaged in actual combat, or duty which is equally as hazardous as combat duty, during the operation with armed opposition, regardless of time in the area; Is wounded or injured and requires medical evacuation from the area of eligibility while participating in the operation, regardless of time; Accumulate 15 days service (consecutive/nonconsecutive) while participating as a regularly assigned crewmember of an aircraft flying sorties into, out of, within, or over the area in direct support of the military operation. One day's service is credited for the first sortie flown on any day. Additional sorties flown on the same day receive no further credit.

AFMAN 36-2806 states 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 and meets 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; or 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.

AIR FORCE EVALUATION

AFPC/DP3AM (Directorate of Assignments) recommends denying the application. A review of the applicant's military personnel record and provided documentation did not contain evidence of service in the Republic of Vietnam.

The complete advisory opinion is at Exhibit C.

AFPC/DP3SP (Recognition Programs) recommends denying the application. In a previous congressional response, the applicant was advised they were unable to verify award of the Vietnam Service Medal and that he could request further consideration with proper documentation. After a thorough review of his official military personnel record and provided documentation, they are still unable to verify entitlement to the Vietnam Service Medal. Should the applicant have official documentation verifying whether or not the Armed Forces Expeditionary Medal reflected on his DD Form 214 was awarded for service in Vietnam, he may request additional consideration for award of, or exchange for, the Vietnam Service Medal. As previously noted, no member may be

issued both medals for service in Vietnam. To grant relief would be contrary to criteria established by DoDM 1348.33 and AFMAN 36-2806.

The complete advisory opinion is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent copies of the advisory opinions to the applicant on 29 Oct 23 for comment (Exhibit E) but has received no response.

FINDINGS AND CONCLUSION

1. The application was not timely filed. The Board 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)*.

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 applicant failed to provide evidence he meets the criteria in the established guidance for award of the Vietnam Service Medal or that the Armed Forces Expeditionary Medal reflected on his DD Form 214 was awarded for service in Vietnam between 1 Jul 58 and 3 Jul 65 and eligible for exchange for the Vietnam Service Medal. Therefore, the Board recommends against correcting the applicant's records.

RECOMMENDATION

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, 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-2022-02695 in Executive Session on 28 Mar 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 19 Sep 22.

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

Exhibit C: Advisory Opinion, AFPC/DP3AM, dated 7 Jun 23.

Exhibit D: Advisory Opinion, AFPC/DP3SP, w/atchs, dated 5 Jul 23.

Exhibit E: Notification of Advisory, SAF/MRBC to Applicant, dated 29 Oct 23.

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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.

4/18/2025

X *Work-Product*

Board Operations Manager, AFBCMR

Signed by: *Work-Product*

AFBCMR Docket Number BC-2022-02695

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