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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

Work-Product

DOCKET NUMBER: BC-2023-01722

COUNSEL: Work-Product

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Armed Forces Report of Transfer or Discharge*, dated 6 Feb 69, be corrected to reflect the following awards:

- a. Vietnam Service Medal (VSM).
- b. Republic of Vietnam Campaign Medal (VCM).

APPLICANT'S CONTENTIONS

Based on his review of the actual time he served in Vietnam in direct support of Southeast Asia, to include Thailand, Laos, and Cambodia, from Jan 68 – Jan 69 as a C-130E aircraft crew chief assigned to Ching Chuan Air Base (AB), Taiwan, he believes he met the eligibility criteria to be awarded the VSM and VCM. As a C-130E aircraft crew chief, he made numerous flights to and from Vietnam and Thailand in support of cargo missions. Additionally, he performed numerous ground temporary duty (TDY) assignments to Cam Rahn Bay AB and Tuy Hoa AB in the Republic of 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 6 Feb 69, according to DD Form 214, the applicant was honorably discharged and credited with 3 years, 4 months, and 28 days of active service to include 1 year and 26 days of Foreign Service. Item 13, *Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized (All periods of service)*, reflects he was awarded the National Defense Service Medal.

On 22 Aug 23, according to Directorate of Assignments letter, the applicant was informed they were able to verify and confirm "Boots on the Ground" Foreign Service time in Taiwan.

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 award of the Vietnam Service Medal and the Republic of Vietnam Campaign Medal. According to Air Force Manual (AFMAN) 36-2806, *Awards and*

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Controlled by: SAF-MRBC
CUI Categories: Work-Product
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Memorialization Program, the VSM is awarded to any member of the U.S. Armed Forces who, on or after 4 Jul 65 through 28 Mar 73, served for one or more days with an organization participating in or directly supporting military operations in Vietnam, contiguous waters, or air space, including service in Thailand, Laos, Cambodia, or their air space or served 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.

According to AFMAN 36-2806, the VCM is awarded to members of the United States Armed Forces who, between 1 Mar 61 and 28 Mar 73, served for 6 months in South Vietnam, or served outside the geographical limits of South Vietnam and contributed direct combat support to the Republic of Vietnam Armed Forces for an aggregate of 6 months. Only members of the United States Armed Forces who meet the criteria established for the Armed Forces Expeditionary Medal or the VSM 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, but who, during wartime were: wounded by the enemy (in a military action), captured by the enemy during action or in the line of duty but later rescued or released, killed in action or in the line of duty; or were assigned in Vietnam on 28 Jan 73, and served in Vietnam for the entire period between 29 Jan 73 to 28 Mar 73.

Although the applicant provided temporary duty orders from Taiwan to various locations in Thailand and Vietnam as evidence, they are unable to determine if any of the temporary duty orders were carried out as no travel vouchers were provided. In addition, there is no Enlisted Performance Report for the that time period to indicate service in Thailand or Vietnam.

Therefore, based on the documentation provided by the applicant and review of the official record, there is no evidence of an error or injustice as the applicant does not meet the established criteria for the award of the VCM. Additionally, without travel orders or any other official documentation to verify that the TDY orders were carried out, the award of the VSM is unable to be verified. 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 18 Sep 23 for comment (Exhibit D), but has received no response.

FINDINGS AND CONCLUSION

1. The application was not timely filed.
2. The applicant did not exhaust 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. While the applicant provides TDY orders for various locations in Vietnam and Thailand, the Board notes this evidence is insufficient to determine whether the orders were carried out and placed the applicant in the area of eligibility and for the required period of time that would make him eligible for the requested awards. Should the applicant provide evidence that more definitively proves he meets all criteria for the requested awards, the Board would be willing to reconsider his request. However, as it stands the Board does not find the evidence persuasive enough and 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 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 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-2023-01722 in Executive Session on 9 Apr 24:

Work-Product Panel Chair

Work-Product 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 23 Jan 23.

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

Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 14 Sep 23.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 18 Sep 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.

4/3/2025

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Board Operations Manager, AFBCMR

Signed by: Work-Product