

RECORD OF PROCEEDINGS

IN THE MATTER OF:

XXXXXXXXXXXXXX

DOCKET NUMBER: BC-2024-04069

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His official military personnel record amended to reflect award of the Vietnam Service Medal (VSM).

APPLICANT'S CONTENTIONS

He was sent to many locations while on temporary duty. Many times, the applicant was sent with a quick departure. He was sent to Vietnam on one of these occasions. The applicant was sent from Manila, Philippines to Vietnam. The applicant was in Vietnam for approximately 60 days and should receive recognition for his service there. When the applicant checked into joining the Veterans of Foreign Wars, it showed he had foreign service of one year and one month but did not specify 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 13 Jan 66, according to a Standard Form 600, *Chronological Record of Medical Care*, the applicant was treated at Mactan Air Base, Philippines.

On 13 Mar 68, the applicant was furnished an honorable discharge and credited with four years and one month of service, of which one year and one month was foreign and/or sea service.

On 5 Sep 19, according to a Department of Veterans Affairs (DVA) Rating Decision, provided by the applicant, he was granted service-connection for prostate cancer associated with herbicide exposure, with 100 percent evaluation, effective 13 Dec 16. Per the Decision Review Officer (DRO), although the applicant's service personnel records failed to confirm his service in-country Vietnam, the DRO found the applicant's statement of service in Vietnam from Dec 67 to Feb 68 to be creditable as this is consistent with typical duties associated with his military occupational specialty.

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

AIR FORCE EVALUATION

AFPC/DP3AM recommends denying the application. Upon review, DP3AM was unable to verify any foreign service in the Republic of Vietnam for the applicant. The applicant's Master Personnel record does not contain any documentation that supports 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 19 Mar 25 for comment (Exhibit D) but received no response.

AIR FORCE EVALUATION

AFPC/DPSTTC recommends denying the application. Based on the documentation presented and review of the official record, there is no error or injustice as the applicant does not meet the established criteria for award of the VSM. To grant the request would be contrary to the criteria established by Department of the Air Force Manual (DAFMAN) 36-2806, *Military Awards: Criteria and Procedures*.

In accordance with DAFMAN 36-2806, 18 Jan 24:

A15.13. *Vietnam Service Medal*. 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.

A15.13.1. To qualify for award of the Vietnam Service Medal a member must meet one of the following qualifications (T-0):

A15.13.1.1. Be attached to or regularly serve for 1 or more days with an organization participating in or directly supporting military operations.

A15.13.1.2. Be attached to or regularly serve for 1 or more days aboard a naval vessel directly supporting military operations.

A15.13.1.3. Actually participate as a crewmember in one or more aerial flights into airspace above Vietnam and contiguous waters directly supporting military operations.

A15.13.1.4. 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.

A15.13.2. No person is entitled to more than one award of the Vietnam Service Medal.

A15.13.3. Members who qualified for the AFEM for reason of service in Vietnam between 1 Jul 58 and 3 Jul 65 (inclusive) remains qualified for that medal. Upon request, any such member may be awarded the Vietnam Service Medal instead of the AFEM. In such instances, the AFEM is deleted from the list of authorized medals in personnel records. No person is entitled to both awards for service in Vietnam.

A15.13.4. Service members who earned the AFEM for Operation FREQUENT WIND between 29 and 30 April 1975 may elect to receive the Vietnam Service Medal instead of the AFEM. No member may be issued both medals for service in Vietnam.

A15.13.5. Vietnam and contiguous waters, as used herein, is defined as an area which includes Vietnam and the water adjacent thereto within the following specified limits: From a point on the East Coast of Vietnam at the juncture of Vietnam with China southeastward to 21 degrees North latitude, 108 degrees; 15 degrees East longitude; thence, southward to 18 degrees; North latitude, 108 degrees; 15 degrees East longitude; thence southeastward to 17 degrees 30 minutes North latitude, 111 degrees East longitude; thence southward to 11 degrees North latitude; 111 degrees East longitude; thence southwestward to 7 degrees North latitude, 105 degrees East longitude; thence westward to 7 degrees North latitude, 103 degrees; East longitude; thence northward to 9 degrees 30 minutes North latitude, 103 degrees East longitude, thence northeastward to 10 degrees 15 minutes North latitude, 104 degrees 27 minutes East longitude; thence northward to a point on the West Coast of Vietnam at the juncture of Vietnam with Cambodia.

According to the Standard Form 600, Standard Form 514-K, dated 12 Jan 66, and Standard Forms 514-C, dated 13 Jan 66 and 10 Feb 66, the applicant was at Mactan Air Base, Philippines. However, there is no additional documentation located within his Military Personnel Record to indicate being in an area of eligibility.

The applicant provided the following documentation:

- DVA Benefits letter, dated 9 May 19
- Air Force Historical Research Agency response letter, dated 29 Sep 23
- Chronological history of the XXXth Troop Carrier Wing
- Chronological history of the XXXrd Troop Carrier Wing
- Congressional Response letter, dated 22 Aug 23
- Congressional Response letter, dated 24 Jul 24

Unfortunately, DVA letters and third-party accounts are not creditable source documentation that can be used to verify awards and decorations. The applicant's Military Personnel Record was reviewed twice by the Assignments Department (DPPAM¹), on 10 Jul 24 and 12 Mar 25, wherein their office could not verify foreign service time in the Republic of Vietnam.

The complete advisory opinion is at Exhibit E.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant for comment (Exhibit F) but received no response.

FINDINGS AND CONCLUSION

1. The application was not timely filed. The Board also notes the applicant did not file the application within three years of 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.
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 rationales and recommendations of AFPC/DP3AM and AFPC/DPSTTC and finds a preponderance of the evidence does not substantiate the applicant's contentions. While there is evidence the applicant performed duty at Mactan Air Base, Philippines, there is no evidence to support his service in the Republic of Vietnam or that he met the eligibility criteria for the VSM in accordance with DAFMAN 36-2806. 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.

¹ Directorate of Assignment memorandums were provided by HQ AFPC/DP3AM.

CERTIFICATION

The following quorum of the Board, as defined in DAFI 36-2603, paragraph 2.1, considered Docket Number BC-2024-04069 in Executive Session on 18 Sep 25:

, Panel Chair
, Panel Member
, Panel Member

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

Exhibit A: Application, DD Form 149, w/atchs, dated 28 Aug 24.
Exhibit B: Documentary evidence, including relevant excerpts from official records.
Exhibit C: Advisory Opinion, AFPC/DP3AM, dated 12 Mar 25.
Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 19 Mar 25.
Exhibit E: Advisory Opinion, AFPC/DPSTTC, dated 27 May 25.
Exhibit F: Notification of Advisory, SAF/MRBC to Applicant, undated.

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.

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Board Operations Manager, AFBCMR