



Work-Product

UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2019-02076

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

Correct his official military record to reflect award of the Korea Defense Service Medal.

APPLICANT'S CONTENTIONS

He requested the medal for his service in Korea for 59 days. The medal was not available at the time of his discharge.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 7 Apr 70, according to AF Form 626, *Request and Authorization for Temporary Duty – Military* (Special Order No. **Work-Product** dated 6 Apr 70), provided by the applicant, he was directed to perform temporary duty (TDY) at APO San Francisco 96570 [Osan Air Base, Korea] for approximately 59 days.

On 28 Jul 70, the applicant's reporting official signed his Performance Report for the period ending 24 Jul 70, which included comments that stated in part "Though his training was interrupted by a 59 day temporary duty assignment..."

On 10 Jan 72, the applicant was furnished an honorable discharge and credited with 3 years, 11 months, and 22 days total active service, of which 1 year, 10 months, and 14 days was foreign and/or sea service.

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 (Recognition Program) recommends denying the application. After a thorough review of the applicant's official military personnel record and provided documentation, award of the Korea Defense Service Medal could not be verified. In accordance with Air Force Manual (AFMAN) 36-2806, *Awards and Memorialization Program*, dated 10 Jun 19, paragraph A14.12. The Korea Defense Service Medal was authorized by 10 U.S.C. § 9286, to recognize qualifying members of the U.S. Armed Forces who have served in the Republic of Korea subsequent to 28 Jul

AFBCMR Docket Number BC-2019-02076

Work-Product

Controlled by: SAF/MRB

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Limited Dissemination Control: N/A

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

54. Service must have been in support of the defense of the Republic of Korea and the medal is awarded to members who, during the period of the award, were permanently assigned, attached, or detailed for 30 consecutive or 60 non-consecutive days to a unit operating in the area of eligibility or who met one of the following criteria, regardless of time spent in the area of eligibility: was engaged in actual combat during an armed engagement; or while in the line of duty was killed or was wounded or injured and medically evacuated from the area of eligibility. Aircrew members accrue one day of eligibility for each day they fly into, out of, within, or over the area of eligibility. Members who serve in operations and exercises conducted in the area of eligibility are eligible for the medal provided the basic time criteria is met. Due to the extensive period of the award, the non-consecutive service period for eligibility remains cumulative throughout the entire period.

Although the applicant served at Kadena Air Base, Okinawa, Japan is not an area of eligibility for award of the Korea Defense Service Medal. Additionally, correspondence was sent to the applicant on 1 Apr 21 requesting additional documentation to support administrative correction of his record. The applicant responded on 14 May 21; however, was unable to provide additional documentation in support of the award.

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 Mar 23 for comment (Exhibit D) but has received no response.

FINDINGS AND CONCLUSION

1. The application was not timely filed, but it is in the interest of justice to excuse the delay.
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 the victim of an error or injustice. While the Board notes the recommendation of AFPC/DP3SP against correcting the record, the Board finds a preponderance of the evidence substantiates the applicant's contentions. The official TDY order directing service in Korea for 59 days, in conjunction with his enlisted performance report for the same period addressing his 59-day temporary duty assignment, make it more likely than not the applicant complied with the TDY order and served in Korea for over 30 consecutive days, rendering him eligible for award of the Korea Defense Service Medal. Therefore, the Board recommends correcting the applicant's records as indicated below.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show the DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge*, issued in conjunction with his 10 Jan 72 discharge, be amended in Block 24, *Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized*, to include the Korea Defense Service Medal.

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-2019-02076 in Executive Session on 20 Jul 23:

Work-Product Panel Chair
Work-Product Panel Member
Work-Product Panel Member

All members voted to correct the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 19 Mar 19.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 8 Dec 22.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 21 Mar 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.

8/12/2023

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Board Operations Manager, AFBCMR

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AFBCMR Docket Number BC-2019-02076

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