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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2019-04987

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COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, dated 15 Feb 80, be corrected to reflect award of the:

- a. Korea Defense Service Medal (**Pending administrative correction**)
- b. Humanitarian Service Medal

APPLICANT'S CONTENTIONS

He was assigned in Korea from Feb 78 – Oct 78, and his service timeframe falls within the parameters for the Korea Defense Service Medal.

In Nov 78, he went on a temporary duty assignment to Guyana to assist in relief efforts after the Jonestown massacre.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

According to AF Form 909, *Airman Performance Report*, issued for the period 30 Jan 78 through 15 Oct 78, the applicant was assigned to Osan Air Base, Korea. The period of supervision reflects 230 days.

On 15 Feb 80, according to DD Form 214, the applicant was released from active duty and credited with 3 years, 6 months, and 19 days of active service and 8 months of Foreign Service time. Item 13, *Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized*, reflects: Air Force Good Conduct Medal and Small Arms Expert Marksmanship Ribbon.

On 7 May 21, the Air Force Personnel Center (AFPC) Recognition Team notified the applicant, they were able to verify award of the Korea Defense Service Medal. However, they were unable to verify award of the Humanitarian Service Medal for Operation Jonestown, Guyana Disaster Relief. They requested he provide documentation, within 30 days, placing him in the area of responsibility with direct participation in the operation.

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Controlled by: SAF/MRB

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Limited Dissemination Control: N/A

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

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 Programs) recommends denying the applicant's request for the Humanitarian Service Medal. In accordance with Air Force Manual (AFMAN) 36-2806, *Awards and Memorialization Program*, dated 10 Jun 19, paragraph A14.14, the Humanitarian Service Medal was established by Executive Order 11965. The medal was authorized to recognize individual members or entire military units who, after 1 Apr 75, distinguished themselves by meritorious direct participation in a DoD-approved significant military act or operation of a humanitarian nature. Direct participation is defined as "hands on" support at the site or sites of the military act or operation. Based on a review of the applicant's official military record and documentation provided by the applicant, there is no evidence of an error or injustice. There is insufficient documentation to verify the applicant had direct participation defined as "hands on" in support of the Jonestown, Guyana Disaster Relief of 1978. In addition, correspondence was sent to the applicant requesting additional documentation to possibly correct his records administratively. Unfortunately, a response had not been received. To grant relief would be contrary to the criteria established by AFMAN 36-2806.

Notwithstanding, they were able to verify award of the Korea Defense Service Medal and the applicant's record will be administratively corrected following the Board.

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 22 Dec 22 for comment (Exhibit D) but has received no response.

FINDINGS AND CONCLUSION

1. The application was not timely filed. 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)*. The Board does not find it in the interest of justice to waive the three-year filing requirement.
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 beyond that rendered administratively.

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-2019-04987 in Executive Session on 12 Sep 23:

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: Applications, DD Form 149, dated 17 Nov 19 and 14 Jan 20.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, AFPC/DP3SP, dated 14 Dec 22.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 22 Dec 22.

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

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