# RECORD OF PROCEEDINGS AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2012-00403

COUNSEL: NONE

HEARING DESIRED: NO

## APPLICANT REQUESTS THAT:

His records be corrected to show that he was awarded the Air Force Overseas Ribbon-Short Tour (AFOR-ST).

# APPLICANT CONTENDS THAT:

He previously applied to the AFBCMR for, and was awarded, the Armed Forces Expeditionary Medal (AFEM) and Korean Defense Service Medal (KDSM) based upon his service in Korea. However, he was not awarded the AFOR-ST, but qualifies for it based upon having served in Korea from May 73 to Nov 74.

In support of his request, the applicant provides copies of his DD Form 215, Correction to DD Form 214 Certificate of Release or Discharge from Active Duty.

The applicant's complete submission, with attachment, is at Exhibit A.

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# STATEMENT OF FACTS:

The applicant entered the Air Force on 24 Mar 71.

On 27 Aug 75, he was issued a DD Form 214-3, which reflects that between Mar 71 and Aug 75 he was credited with six months of foreign service in Korea.

In accordance with AFI 36-2110, Assignments, Table 3.4, Rule 2, an Air Force member must complete 300 days of temporary duty (TDY) in a consecutive 18 month period from CONUS to an overseas location in order to receive credit for completion of a short tour.

The applicant had a break in service from Mar 80 through Oct 80, after which he served until his retirement date of 31 Oct 91. Between Oct 80 and Oct 91, he was credited with 8 years, 11 months, and 16 days of foreign service, for which he was

awarded the Air Force Overseas Ribbon-Long Tour with One Oak Leaf Cluster.

The remaining relevant facts pertaining to this application are contained in the letter prepared by the appropriate office of the Air Force, which is attached at Exhibit C.

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#### AIR FORCE EVALUATION:

AFPC/DPAPP recommends denial, indicating there is no evidence of error or injustice. The applicant is requesting award of the AFOR-ST for his TDY in the Republic of Korea from Jun 73 to Nov 73. However, the applicant did not serve a sufficient period of time in TDY status in Korea in 1973 to qualify for completion of a short tour, and therefore, he does not qualify for the AFOR-ST.

A complete copy of the AFPC/DPAPP evaluation is at Exhibit C.

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## APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 10 Apr 12 for review and comment within 30 days. As of this date, no response has been received by this office (Exhibit D).

# THE BOARD CONCLUDES THAT:

- 1. The applicant has exhausted all remedies provided by existing law or regulations.
- 2. The application was not timely filed; however, it is in the interest of justice to excuse the failure to timely file.
- 3. Insufficient relevant evidence has been presented to demonstrate the existence of an error or injustice. We took notice of the applicant's complete submission in judging the merits of the case; however, we agree with the opinion and recommendation of the Air Force office of primary responsibility (OPR) and adopt its rationale as the basis for our conclusion the applicant has not been the victim of an error or injustice. Therefore, in absence of evidence to the contrary, we find no basis to recommend granting the relief sought in this application.

#### THE BOARD DETERMINES THAT:

The applicant be notified the evidence presented did not demonstrate the existence of material error or injustice; the application was denied without a personal appearance; and the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

The following members of the Board considered AFBCMR Docket Number BC-2012-00403 in Executive Session on 6 Sep 12, under the provisions of AFI 36-2603:

Panel Chair Member Member

The following documentary evidence was considered:

Exhibit A. DD Form 149, dated 1 Feb 12, w/atch. Exhibit B. Applicant's Master Personnel Records. Exhibit C. Letter, AFPC/DPAPP, dated 2 Apr 12.

Exhibit D. Letter, AFBCMR, dated 10 Apr 12.

Panel Chair