

AIR FORCE EVALUATION:

AFPC/DPSIDR recommends denial. DPSIDR states no documentation was located to show the applicant was in the area of eligibility (AOE) for the KSM nor was any documentation located to show that he or his unit were designated by the Commander-in-Chief, Far East, as having directly supported the military efforts in Korea.

The applicant previously requested entitlement to the KSM through their office. Their response, dated 30 March 2012, provided the eligibility requirements for award of the KSM. The applicant's response indicates he did not serve in the AOE, but served at Clark Air Base, Philippines. The applicant does not meet the eligibility requirements for award of the KSM.

KSM Criteria: The KSM was awarded for service between 27 June 1950 and 27 July 1954 under and of the following conditions: Within the territorial limits of Korea in waters immediately adjacent thereto: or with a unit under the operational control of the Commander-in-Chief, Far East, other than those units within the territorial limits of Korea, which has been designated by the Commander-in-Chief, Far East, as having directly supported the military efforts in Korea; or was furnished an individual certificate by the Commander-in-Chief, Far East, testifying to material contribution made in direct support of the military efforts in Korea.

The complete DPSIDR evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 28 June 2012, for review and comment within 30 days (Exhibit D). To date, this office has not received a response

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 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 that the applicant has not been the victim of an error or injustice. The applicant has not provided any documentary evidence to substantiate his claim that he meets the criteria for award of the KSM; therefore, in the 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 that the evidence presented did not demonstrate the existence of material error or injustice; that the application was denied without a personal appearance; and that 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 this application BC-2012-01386 in Executive Session on 1 November 2012, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149 w/atchs, dated 12 April 2012.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPSIDR, dated 11 June 2012.
- Exhibit D. Letter, SAF/MRBR, dated 28 June 2012.

Panel Chair