

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 97-03465

EP 17 1998

COUNSEL: NONE

HEARING DESIRED: NO

[REDACTED]

Applicant requests that the NGB Form 22 (Report of Separation and Record of Service), issued in conjunction with his 3 December 1994 discharge, be corrected to reflect the date of enlistment as 20 August 1981 rather than 20 August 1985, for a total of 23 years, 3 months, and 14 days of service; and, that his under other than honorable conditions (UOTHC) discharge be changed to general (under honorable conditions). Applicant's submission is at Exhibit A.

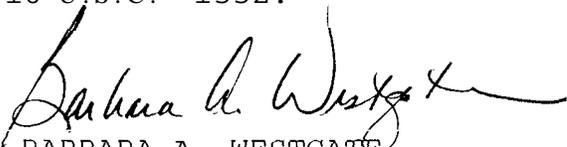
The appropriate Air Force offices evaluated applicant's request and provided advisory opinions to the Board recommending the application be denied (Exhibit C). The advisory opinions were forwarded to the applicant for review and response (Exhibit D). As of this date, no response has been received by this office.

After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of error or injustice to warrant corrective action. The facts and opinions stated in the advisory opinions appear to be based on the evidence of record and have not been rebutted by applicant. Absent persuasive evidence applicant was denied rights to which entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

Accordingly, applicant's request is denied.

The Board staff is directed to inform applicant of this decision. Applicant should also be informed that this decision is final and will only be reconsidered upon the presentation of new relevant evidence which was not reasonably available at the time the application was filed.

Members of the Board, Mrs. Barbara A. Westgate, Mr. Henry Romo Jr., and Mr. Allen Beckett, considered this application on 15 September 1998 in accordance with the provisions of Air Force Instruction 36-2603 and the governing statute, 10 U.S.C. 1552.


BARBARA A. WESTGATE
Panel Chair

Exhibits:

- A. Applicant's DD Form 149
- B. Available Master Personnel Records
- C. Advisory Opinions
- D. SAF/MIBR Ltr Forwarding Advisory Opinions



DEPARTMENT OF THE AIR FORCE
AIR NATIONAL GUARD



MEMORANDUM FOR AFBCMR

06 APR 1998

FROM: ANG/MPPU
3500 Fetchet Avenue
Andrews AFB, MD 20762-5157

SUBJECT: Application for Correction of Military Records— [REDACTED]
[REDACTED]

The attached Application for Correction of Military Records submitted by the applicant, a former member of the [REDACTED] National Guard, is forwarded for your review and action.

The applicant requests the record changed to reflect **23** years, **03** months, and **14** days, thereby making the applicant eligible for retirement.

This Headquarters recommends denial of relief. In accordance with ANGI **36-3201 (Air National Guard Separation Documents)** block **10a** is computed from the applicant's last DD Form **4** (Enlistment / Reenlistment Document). The applicant reenlisted on **20** Aug 85 and was separated on **13** Dec **94**, giving the applicant 9 years, **03** months, 14 days service for that period. The previous **4** years that the applicant served with the [REDACTED] Air National Guard is computed in block **10b**. The applicant's prior active service is computed in block **10c** which is correct according to the DD Form **214**. The applicant's total service for pay is correct. A chronological record of the applicant's service indicates the applicant has **16** years, **11** months, and **29** days satisfactory service towards a **20** year selected reserve retirement.

Questions should be directed to MSgt Gowdy, ANG/MPPUA, DSN 278-7500, or Email: gowdyt@ang.af.mil.

FOR THE COMMANDER


NILDA E. URRUTIA, Lt Col, USAF
Chief, Utilization

9703465



STATE OF WEST VIRGINIA
 OFFICE OF THE ADJUTANT GENERAL
 1703 COONSKIN DRIVE
 CHARLESTON, WEST VIRGINIA 25311-1085

Allen E. Tackett
 Major General, WVARNC
 The Adjutant General

9 February 1998

MEMORANDUM FOR ANG/MPPUA

FROM: HQ WVANG/ESSO

SUBJECT: Application for Correction of Military Records - SSgt [REDACTED]

1. The NGB Form 22 referred to in item 9 of the attached DD Form 149 properly reflects the period of service from 20 August 1985 - 3 December 1994, Item 10 (a). No NGB Form 22 was issued for the period 20 August 1981 - 19 August 1986 although this time is included in Item 10 (b) as prior reserve component service. The individual is proposing to add this four (4) years of service, which has already been counted, in the total service reflected in item 10 (d).

2. Period of service for [REDACTED] are as follows:

<u>SVC</u>	<u>COMPONENT</u>	<u>DATES</u>	<u>TOTAL SVC</u>
USAF	REG	25 Aug 67 - 23 Aug 71	3 YRS - 11 MOS - 29 DAYS
USAF	RES	24 Aug 71 - 24 Aug 73	2 YRS - 00 MOS - 01 DAY
USAF	ANG (WV)	20 Aug 81 - 19 Aug 85	4 YRS - 00 MOS - 00 DAY
USAF	ANG (WV)	20 Aug 85 - 13 Dec 94	9 YRS - 03 MOS - 14 DAYS

TOTAL SVC - 19 YRS 03 MOS 14 DAYS FOR PAY

3. Although [REDACTED] had service for pay as indicated above, he had only 16 yrs 11 months and 29 days for retirement purposes. See AF Form 526 attached that was prepared 4 Feb 95.

4. Computation for pay is based on contractual periods of service. Computation for reserve retirement, on the other hand, requires 20 years of service in which a minimum of 50 points must be credited each year to qualify for one year of retirement credit with a pro rate share of points for a partial year of credit.

5. Based on the documents provided and those on file in this office, [REDACTED] has failed to provide any information that substantiates duty performance for which he has not **been** credited. **This** office can find no basis to support his request. He simply is not qualified for a reserve retirement annuity.

6. Questions may be addressed to [REDACTED]


BENNY A. HUFFMAN, Colonel, WVANG
Executive Support Staff Officer

1 Attachment
Case file

Cy to: SAF/MIBR
HQ ARPC/DSZ