RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2010-02584

 INDEX CODE: 107.00

 XXXXXXX COUNSEL: NONE

 HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

His records be corrected to reflect he was awarded the following awards:

1.  Republic of Vietnam Gallantry Cross with Palm (RVNGC w/P).

2.  Air Force Longevity Service Award (AFLSA).

3.  Air Force Outstanding Unit Award (AFOUA) **(to be resolved administratively)**.

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APPLICANT CONTENDS THAT:

He returned from overseas on emergency leave during the last month of his enlistment and was subsequently discharged. It is possible the medals were omitted from his DD Form 214*, Armed Forces of the United States Report of Transfer or Discharge,* because the personnel conducting his separation processing were not familiar with the medals that should have been annotated on his DD Form 214.

In support of his appeal, the applicant provides a copy of a special order relating to the RVNGC w/P, his DD Form 214, and that of another service member for comparison.

The applicant’s complete submission, with attachments, is at Exhibit A.

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STATEMENT OF FACTS:

The applicant’s military personnel records indicate he enlisted in the Regular Air Force on 5 Feb 63 in the grade of airman basic (E-1) for a period of four years and was progressively promoted to the grade of airman first class (E-4), effective and with a date of rank of 1 Jun 66. The applicant served with the 3960th Composite Aircraft Maintenance Squadron (CAMS), Anderson AFB, Guam, during the period 23 Jan 66 through 21 Dec 66.

On 17 Jan 67, the applicant was honorably discharged at the completion of his required active service and credited with 3 years, 11 months, and 12 days of total active service.

On 2 Sep 10, AFPC/DPSIDRA notified the applicant of their determination of his entitlement to the AFOUA w/1 oak leaf cluster (OLC) for his service with the 3960th CAMS, Anderson AFB, Guam.

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/DPSIDRA recommends denial of the applicant’s request for the AFLSA, indicating there is no evidence of an error or injustice. In accordance with DoD 1348.33M, *Manual of Military Decorations and Awards*, the AFLSA shall be awarded to all Air Force members who complete four continuous years of honorable active or Reserve military service. Active and Reserve service cannot be combined to meet this requirement. The applicant is ineligible for the AFLSA as he only completed 3 years, 11 months, and 12 days of total active service.

A complete copy of the AFPC/DPSIDRA 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 17 Sep 10 for review and comment within 30 days. As of this date, no response has been received by this office (Exhibit D).

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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.  Sufficient relevant evidence has been presented to demonstrate the existence of an error or injustice with respect to the RVNGC w/P. After careful review of the evidence of record and the applicant’s submission, including the special orders indicating the 3960 CAMS was awarded the RVNGC w/P while the applicant was assigned to the unit, we are convinced he is entitled to the requested award. Therefore, we recommend his records be corrected as indicated below. We also note the Air Force office of primary responsibility has determined his eligibility for the AFOUA w/1 OLC and his records will be corrected administratively. Notwithstanding the above, insufficient relevant evidence has been presented to demonstrate the existence of an error or injustice with respect to the AFLSA. We took notice of the applicant's complete submission in judging the merits of this request; however, he did not complete four continuous years of active service. Therefore, in the absence of evidence to the contrary, we find no basis upon which to recommend favorable consideration of this portion of his application.

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THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to the APPLICANT be corrected to show that he was awarded the Republic of Vietnam Gallantry Cross with Palm (RVNGC w/P).

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The following members of the Board considered AFBCMR Docket Number BC-2010-02584 in Executive Session on 27 Jan 11, under the provisions of AFI 36-2603:

All members voted to correct the records as recommended. The following documentary evidence was considered:

 Exhibit A.  DD Form 149, dated 20 Jul 10, w/atchs.

 Exhibit B.  Applicant's Master Personnel Records.

 Exhibit C.  Letter, AFPC/DPSIDR, dated 2 Sep 10.

 Exhibit D.  Letter, SAF/MRBR, dated 17 Sep 10.