

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00333

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

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

1. Air Force Outstanding Unit Award with Valor (AFOUA w/V) (administratively resolved).
 2. Air Force Longevity Service Award (AFLSA).
-

APPLICANT CONTENDS THAT:

He was discharged one day prior to his date of separation because his DOS occurred on a weekend. As a result, he was unfairly deprived of the award of the AFLSA.

In support of his appeal, the applicant provides copies of his discharge order and a Permanent Change of Station (PCS) order.

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

STATEMENT OF FACTS:

The applicant served on Active Duty from the period 15 Oct 63 to 13 Oct 67 - a period of 3 years, 11 months, and 29 Days. Award of the AFLSA is contingent upon a full four years of service.

On 16 Mar 12, AFPC/DPSIDR notified the applicant of their determination of his entitlement to the AFOUA w/V and 1OLC and corrected his records administratively.

AIR FORCE EVALUATION:

AFPC/DPSIDR recommends denial as the applicant did not meet the minimum requirement for award of the AFLSA.

A complete copy of the AFPC/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 11 May 12 for review and comment within 30 days (Exhibit D). As of this date, no response has been received by this office.

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 applicant's request for the Air Force Longevity Service Award (AFLSA). After a thorough review of the evidence of record and noting the applicant's contention, we believe he has sufficiently established that through no fault of his own he was inadvertently deprived of the opportunity to attain eligibility for the AFLSA and therefore, is the victim of an injustice. In this respect, we note that his date of separation (DOS) of 14 Oct 67 did indeed fall on a Saturday and that in accordance with procedures in effect at the time he was separated on the preceding Friday, rendering him one day short of the required four years of active service for entitlement to the AFLSA. However, had his DOS not fallen on a weekend date, he would have completed an additional day of active service and been eligible to receive the AFLSA. It is not clear whether he was advised of this prior to his separation and whether he would have had the option of remaining on active duty two additional days in order to separate on the following Monday in order to obtain eligibility for the AFLSA. Regardless, we do believe that it is unjust that he has been denied eligibility for the AFLSA simply because his DOS fell on a weekend date. Therefore, we recommend his records be corrected as indicated below. We note the Air Force office of primary responsibility has determined his entitlement to the Air Force Outstanding Unit Award with Valor and with one oak leaf cluster and have administratively corrected his records, accordingly.

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 Air Force Longevity Service Award (AFLSA).

The following members of the Board considered AFBCMR Docket Number BC-2012-00333 in Executive Session on 28 Aug 12 under the provisions of AFI 36-2603:

Panel Chair
Member
Member

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

- Exhibit A. DD Form 149, dated 13 Jan 12, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPSIDR, dated 16 Mar 12, w/atch.
- Exhibit D. Letter, SAF/MRBR, dated 11 May 12.

Panel Chair