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## UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2021-02853

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COUNSEL: NONE

HEARING REQUESTED: YES

### APPLICANT'S REQUEST

1. Restore his rank to sergeant (E-4).
2. Correct his primary specialty number, title and years and months in specialty in Block 11 of his DD Form 214, *Certificate of Release or Discharge from Active Duty*. (**Will be administratively corrected**)

### APPLICANT'S CONTENTIONS

His rank reduction to senior airman should be overturned and be reinstated to sergeant. One isolated incident should not have brought about the shame of the rank reduction and denial of reenlistment. Furthermore, his career field was Services Specialist, and he is listed as a Dormitory Manager, which was his job at his Expiration Term of Service (ETS).

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is an honorably discharged senior airman (E-4).

On 22 Apr 86, according to AF Form 1058, *Unfavorable Information File (UIF) Action Under Air Force Regulation (AFR) 35-32* (provided by the applicant), a UIF was created for the applicant. The action was taken due to the applicant discharging a fire extinguisher in the dormitory while under the influence of alcohol.

On 18 Jun 86, according to AF Form 418, *Selective Reenlistment/Noncommissioned Officer Status Consideration*, the applicant's supervisor chose to not recommend him for reenlistment and the applicant's commander concurred. The applicant acknowledged receipt of the notification and chose to not appeal.

On 23 Jun 86, according to DD Form 214, the applicant was discharged from the Air Force. Block 4a, *Grade, Rate, or Rank*, reflects senior airman (SRA). Block 11, *Primary Specialty Number, Title and Years and Months in Specialty* reflects 61150-Dormitory Manager, 4 Years 10 Months.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit C.

**AFBCMR Docket Number BC-2021-02853**

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Controlled by: SAF/MRB

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Limited Dissemination Control: N/A

POC: [SAF.MRBC.Workflow@us.af.mil](mailto:SAF.MRBC.Workflow@us.af.mil)

## AIR FORCE EVALUATION

AFPC/DPMSPP (Enlisted Promotions) recommends denying the application. On 30 Dec 75, a new criterion for advancement to NCO status was decided and announced to the major commands. A key aspect of the new program was a new insignia for senior airmen and below. The insignia would sport a blue star instead of a silver star in the center of the chevrons. On 1 Jun 76, new criteria were established for senior airmen to advance to the NCO “sergeant” rank (also E-4 and often referred to as “buck sergeant”), including 12 months’ time-in-grade and completion of the NCO Preparatory Course. On 18 Jun 86, the applicant received an LOR, and an Unsatisfactory Information File (UIF) was created. The applicant was removed from NCO status due to the applicant’s own admission action for disciplinary action for discharging a fire extinguisher while under the influence of alcohol. The applicant’s commander denied reenlistment on AF Form 418 as a result of the NCO status removal, and the DD Form 214 reflects accurately.

Based on the documentation provided by the applicant and analysis of the facts, there is no evidence of an error or injustice. In accordance with Air Force Regulation 35-16, *The USAF Reenlistment, Retention, and NCO Status Program*, Volume 1, Chapter 8, the applicant’s commander completed his responsibilities per guidance and concurred with the applicant’s supervisor. The applicant’s own actions led to his NCO status removal and the DD Form 214 reflects accurately.

The complete advisory opinion is at Exhibit C.

## APPLICANT’S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 24 Jan 24 for comment (Exhibit D), and the applicant replied on 27 Jan 24. In his response the applicant contended that he had no other issues during his time in the Air Force and because of this, it was an injustice to take his rank for an isolated incident.

The applicant’s complete response is at Exhibit E.

## FINDINGS AND CONCLUSION

1. The application was not timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is not the victim of an error or injustice. The Board concurs with the rationale and recommendation of AFPC/DPMSPP and finds a preponderance of the evidence does not substantiate the applicant’s contentions. Therefore, the Board recommends against correcting the applicant’s records. The Board also notes the applicant did not file the application within three years of discovering the alleged error or injustice, as required by Section 1552 of Title 10, United States Code, and Department of the Air Force Instruction 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*. The Board does not find it in the interest of justice to waive the three-year filing requirement and finds the application untimely.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board’s understanding of the issues involved.

## RECOMMENDATION

The Board recommends informing the applicant the application was not timely filed; it would not be in the interest of justice to excuse the delay; and the Board will reconsider the application only upon receipt of relevant evidence not already presented.

## CERTIFICATION

The following quorum of the Board, as defined in Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2021-02853 in Executive Session on 03 Jul 24:

Work-Product Panel Chair  
Work-Product, Panel Member  
Work-Product, Panel Member

All members voted against correcting the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 5 Sep 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DPMSP, dated 8 Jan 24.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 24 Jan 24.
- Exhibit E: Applicant's Response dated 27 Jan 24.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

9/6/2024

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Board Operations Manager, AFBCMR  
Signed by: USAF