

**UNITED STATES AIR FORCE  
BOARD FOR CORRECTION OF MILITARY RECORDS****RECORD OF PROCEEDINGS****IN THE MATTER OF:****DOCKET NUMBER:** BC-2023-01597

Work-Product

**COUNSEL:** NONE**HEARING REQUESTED:** NO**APPLICANT'S REQUEST**

His grade be changed from airman first class (E-3) to technical sergeant (E-6).

**APPLICANT'S CONTENTIONS**

He served in the Connecticut Air National Guard (CT ANG) for 17 years. During this time, he has taken his service seriously and has had the utmost integrity one can have. He has received multiple awards for his work ethic and has strived to better himself and the mission. He feels he was wrongfully accused due to the lack of due process, lack of investigation, personal relationships from the complainant, and the people making the decisions to discharge him. Serving his country has been his passion for the last 17 years. He has always stepped up to better the mission. He has displayed integrity, service before self and excellence in all he does with every task he performed. This case kept on getting passed up for further review due to a lack of a final decision. After the decision was made, he received a phone call from the Command Chief Master Sergeant, who verbally stated, the guard tried to keep him; however, their manpower was exceeded, and he suggested he try to transfer to another unit.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is a former Air Force airman first class (E-3).

On 9 Jun 04, according to DD Form 4, *Enlistment/Reenlistment Document – Armed Forces of the United States*, the applicant enlisted into the CT ANG for a period of six years.

On 1 Dec 05, according to Special Order [Work-Product], dated 1 Jan 06, the applicant was promoted to the grade of senior airman (E-4).

According to Special Order [Work-Product], dated 1 Mar 10, the applicant was promoted to the grade of staff sergeant (E-5).

According to Special Order [Work-Product], the applicant was promoted to the grade of technical sergeant (E-6).

On 27 Aug 14, according to Special Order [Work-Product], dated 5 Sep 14, the applicant was demoted without prejudice to the grade of staff sergeant (E-5).

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Controlled by: SAF/MRB  
CUI Categories: [Work-Product]  
Limited Dissemination Control: N/A  
POC: [SAF.MRBC.Workflow@us.af.mil](mailto:SAF.MRBC.Workflow@us.af.mil)

On 29 Feb 20, the applicant's commander issued a Notification of Intention to Demote under the provisions of Chapter 11, AFI 36-2502, *Enlisted Airman Promotion/Demotion Programs*, Paragraph 1 1.1.2.4.2.6.1 (Failure to Fulfill Responsibilities) and on this same date, the applicant acknowledge receipt.

On 18 Jun 20, according to Special Order [Work-Product], dated 30 Jun 20, the applicant was demoted with prejudice to the grade of airman first class (E-3).

On 31 Mar 21, according to Special Order [Work-Product], dated 9 Apr 21, the applicant was relieved from assignment with the CT ANG and discharged with a general (under honorable conditions) character of service.

According to National Guard Bureau (NGB) Form 22, dated 31 Mar 21, the applicant was credited with 16 years, 9 months, and 23 days of total service.

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

### **AIR FORCE EVALUATION**

NGB recommends denying the application. The documentation provided is not sufficient to support the applicant's claim. The applicant was demoted based on AFI 36-2502, dated 26 April 2016, para 11.1.2.4.2.6.1, which states "An airman may be demoted if he or she fails to fulfill responsibilities prescribed in AFI 36-2618, *The Enlisted Force Structure*, paragraph 4.5. On 29 Feb 20 there was a notification of intent to demote sent from the 103 Security Forces Squadron Commander to the applicant notifying him that he was being put in for demotion. A base finance reconciliation revealed there were 155 funeral periods paid for but only 76 performed. The Area Defense Counsel (ADC) who conducted the review of the demotion found irregularities in the administrative demotion and administrative separation. The ADC noted from her review of a document submitted for 2019, the completed funerals documented for the applicant were 28 funerals completed and between 2018 and 2019 there were a total of 88 funerals. The documentation provided does not prove evidence of an error or injustice. NGB requested the following documentation: records provided to area defense council showing applicant's completed funeral services or any logs and additional evidence supporting the applicant's funeral details for 2018 and 2019 to support his claim.

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 23 Aug 23 for comment (Exhibit D), but has received no response.

### **FINDINGS AND CONCLUSION**

1. Although the application was not timely filed within the three-year limitation period established by 10 U.S.C. § 1552 (b), the untimeliness is waived in the interest of justice.
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 NGB and finds a

preponderance of the evidence does not substantiate the applicant's contentions. Therefore, the Board recommends against correcting the applicant's records.

## RECOMMENDATION

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, 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-2023-01597 in Executive Session on 12 Mar 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 25 Apr 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, NGB, dated 7 Aug 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 23 Aug 23.

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.

4/12/2024

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Board Operations Manager, AFBCMR

Signed by: Work-Product