



UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-02959

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His retired rank/grade be changed from staff sergeant (E-5) to technical sergeant (E-6) and he receive backpay.

APPLICANT'S CONTENTIONS

He was assigned to an E-5 position due to a cut in manning, but he was promoted to E-6 on 12 Sep 79. Due to a fire at the records depository in Work-Product, he has been unable to receive retirement compensation at the correct rank.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a retired Air Force Reserve staff sergeant (E-5).

On 16 Aug 82, according to Reserve Order Work-Pro..., the applicant was demoted from the grade of E-6 to the grade of E-5, effective 16 Aug 82, with a date of rank (DOR) of 1 Aug 76.

On 23 Jan 85, according to Reserve Order Work-P..., the applicant was demoted from the grade of E-6 to the grade of E-5, effective 17 Feb 85, with a DOR of 1 Aug 76.

On 4 Mar 88, according to Reserve Order Work-Product, dated 9 Feb 88, the applicant was placed on the Reserve Retired List at the grade of E-5.

On 15 Dec 05, according to Reserve Order Work-Product, dated 27 Jun 05, the applicant was authorized retired pay in accordance with Title 10 United States Code, Section 12731, and placed on the USAF Retired List at the grade of E-5.

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

AIR FORCE EVALUATION

AFRC/A1KK (Force Management) recommends denying the applicant's request. Based on the documentation and analysis of the facts, the applicant has not provided supporting documentation to

prove an error was made in establishing his Air Force Reserve retired pay at the grade of E-5. Evidence supports that the applicant was promoted to E-6. However, evidence also concludes that on at least two separate occasions, he was demoted from E-6 to E5. It cannot be confirmed erroneous information was used to determine the applicant's retirement pay grade.

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 16 Apr 24 for comment (Exhibit D) but has received no response.

FINDINGS AND CONCLUSION

1. The application was not timely filed. The Board 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 (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*.

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 AFRC/A1KK and finds a preponderance of the evidence does not substantiate the applicant's contentions. Specifically, the Board notes the applicant was demoted twice to the grade of E-5 and there is no evidence he was ever promoted to E-6 prior to his retirement. 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 DAFI 36-2603, paragraph 2.1, considered Docket Number BC-2023-02959 in Executive Session on 27 Jun 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, dated 17 Aug 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFRC/A1KK, dated 10 Apr 24.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 16 Apr 24.

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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.

6/25/2025

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Board Operations Manager, AFBCMR
Signed by: USAF

AFBCMR Docket Number BC-2023-02959

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