

IN THE CASE OF: [REDACTED]

BOARD DATE: 17 October 2024

DOCKET NUMBER: AR20240001354

APPLICANT REQUESTS: reconsideration of his previous request for promotion to first sergeant (1SG)/E-8 retroactive to 1 June 1958 with back compensation.

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- DA Form 24 (Service Record)
- Retired Reserve Letter
- 1966 Retired Reserve Certificate
- Army Grade Structure

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's case by the Army Board for Correction of Military Records (ABCMR) in Docket Number AR2001062085 on 29 January 2002.

2. The applicant previously stated that his rank of master sergeant (MSG), which was an enlisted pay grade E-7 at the time was not converted [to E-8] at the time of the 1958 change to the Army's enlisted rank and grade structure. He also stated he had served as the first sergeant of each unit to which he was assigned from 24 September 1955 to the day he was placed on the retired list, 20 January 1966. He had been promoted to MSG, pay grade E-7, on 24 September 1957. His conduct and efficiency were always rated as excellent. His pay grade was not converted.

3. The applicant previously served in active duty from 4 June 1943 to 18 January 1946 and from 25 October 1950 to 1 September 1951.

a. He enlisted in the U.S. Army Reserve on 16 September 1952. He served in a variety of troop program units (TPU) of the USAR. He reenlisted on 24 September 1958, 24 September 1961, and on 24 September 1964.

b. He was assigned to the 909th Quartermaster Battalion, a USAR TPU in Augusta, GA, from 24 September 1955 to around 14 January 1963.

c. On 24 January 1957, Headquarters, 909th Quartermaster Company (Service) published Orders Number 1, permanently promoting the applicant to Master Sergeant/Grade E-7 in the USAR. The authority for this promotion is Army Regulation 140-158, paragraph 9.

d. He served as unit first sergeant of the 429th Chemical Detachment from 24 September 1965 through 31 December 1965.

e. On 17 January 1966, the applicant was transferred to the Retired Reserve by authority of Special Orders Number 31, issued by Headquarters, XII U.S. Army Corps, on 17 January 1966. He was issued a Retired Reserve Certificate reflecting his rank of MSG and grade of E-7.

f. On 19 November 1986, the U.S. Army Reserve Personnel Center, St. Louis, MO published Orders P-004097 placing the applicant on the retired list effective 19 October 1983 in the retired grade of sergeant first class (SFC)/E-7, by authority of Title 10, U.S. Code, section 1331.

4. On 9 February 2000, by letter, the U.S. Army Reserve Personnel Command wrote to the applicant in reference to his request for advancement on the Army of the United States Retired List. The author of the letter stated they regret that the reply cannot be more favorable. On October 1, 1949, the enlisted pay grades were established. At that time E-7 was the pay grade for the title of Master Sergeant (MSG). With the grade revisions of June 1, 1958, the title for the pay grade E-7 was changed to Sergeant First Class. After a conversion period all soldiers holding the title of Master Sergeant E-7, and who had not been promoted to the new pay grade of E-8 were converted to Sergeant First Class E-7. Accordingly, he is receiving retired pay in the correct pay grade of Sergeant First Class E-7. Unfortunately, there are no laws or regulations, which would permit his advancement on the retired list. If he disagreed with this decision you may apply to Army Review Boards Agency.

5. On 29 January 2002, the ABCMR denied his request. Considering all the evidence, allegations, and information presented by the applicant, together with the evidence of record, applicable law and regulations, the Board concluded the following:

a. The applicant was promoted to pay grade E-7 on 24 January 1957. At that time, the title for pay grade E-7 was Master Sergeant. On 1 June 1958, the title for pay grade E-7 was changed by Army regulation from Master Sergeant to Sergeant First Class. The titles of pay grades were converted; pay grades were not converted. The applicant retained his title of "Master Sergeant (E-7)" through his transfer to the Retired Reserve, but he was never promoted to pay grade E-8. His correct highest grade to which he was promoted and in which he served was E-7. He is not entitled to pay grade E-8.

b. The applicant served in the duty position of first sergeant, but there is no evidence that he was ever promoted to the rank and pay grade of first sergeant (E-8). Any grade noncommissioned officer may be assigned to the duty position of first sergeant but assignment to that duty position does not entitle or authorize a noncommissioned officer to be promoted to the rank and grade of first sergeant (E-8). In view of the foregoing, there is no basis for granting the applicant's request.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found relief is not warranted.
2. The Board concurred with the explanation the applicant received from the U.S. Army Reserve Personnel Command. While he held the title of master sergeant when he was serving in pay grade E-7, the record does not show that he was promoted to pay grade E-8 after the pay grades were revised. Based on a preponderance of the evidence, the Board determined his retired rank and pay grade are not in error or unjust.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
■	■	■	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined that the overall merits of this case are insufficient as a basis to amend the decision of the ABCMR set forth in Docket Number AR2001062085 on 29 January 2002.

3/31/2025

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CHAIRPERSON

I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Title 10, U.S. Code, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.

2. The enlisted grade structure in the Army has changed several times since 1942. During the period 1 September 1942 through 1 August 1948, the Army employed the following enlisted grade structure:

- Grade 1 Master Sergeant (M/Sgt and 1st Sgt)
- Grade 2 Technical Sergeant (T/Sgt)
- Grade 3 Staff Sergeant and Technician 3rd Grade (S/Sgt)
- Grade 4 Sergeant and Technician 4th Grade (Sgt)
- Grade 5 Corporal and Technician 5th Grade (Cpl)
- Grade 6 Private First Class (Pvt 1st Class)
- Grade 7 Private (Pvt)

3. During the period 1 August 1948 through 30 September 1949, the Army changed the enlisted grade structure as follows:

- Grade 1 Master Sergeant (M/Sgt)
- Grade 2 Sergeant First Class (Sfc)
- Grade 3 Staff Sergeant and Technician 3rd Grade (Sgt)

- Grade 4 Corporal (Cpl)
- Grade 5 Private First Class (Pfc)
- Grade 6 Private (Pvt)
- Grade 7 Recruit (Rct)

4 During the period 1 October 1949 through 21 January 1951, the Army changed the enlisted grade structure as follows:

- Grade 1 Pvt/E-1
- Grade 2 Pvt/E-2
- Grade 3 Pvt 1st Class
- Grade 4 Cpl
- Grade 5 Sgt
- Grade 6 Sfc
- Grade 7 M/Sgt

5. During the period from 21 January 1951 through 30 June 1955, the enlisted grade structure was as follows:

- Grades 1 and 2 Private (Pvt)
- Grade 3 Private First Class (Pfc)
- Grade 4 Corporal (Cpl)
- Grade 5 Sergeant (Sgt) (with rank insignia of three stripes and one "rocker," the same as the rank for today's Staff Sergeant)
- Grade 6 Sergeant First Class (Sfc)
- Grade 7 Master Sergeant (M/Sgt)

6. On 2 July 1954, Army Regulation 615-15 announced a new grade structure to be effective 1 March 1955. The new titles are:

- E-7, Master Sergeant (First Sergeant was an occupational title) and Master Specialist
- E-6, Sergeant First Class, Specialist First Class
- E-5, Sergeant, Specialist 2nd Class
- E-4, Corporal, Specialist 3rd Class
- E-3, Private First Class
- E-2, Private E-2

7. On 1 June 1958, the Army changed the enlisted rank structure as below. The title for the pay grade E-7 was changed to Sergeant First Class. After a conversion period all soldiers holding the title of Master Sergeant E-7, and who had not been promoted to the new pay grade of E-8 were converted to Sergeant First Class E-7.

- E-1 Private/Recruit
- E-2 Private
- E-3 Private First Class
- E-4 Corporal/Specialist [Specialist Four]
- E-5 Sergeant [Specialist Five]
- E-6 Staff Sergeant [Specialist Six]
- E-7 Sergeant First Class/Platoon Sergeant [Specialist Seven]
- E-8 Master Sergeant/First Sergeant [Specialist Eight]
- E-9 Sergeant Major [Specialist Nine]

7. In 1968 when the Army added the rank of command sergeant major, the specialist ranks at E-8 and E-9 were abolished. In 1978 the specialist rank at E-7 was discontinued and in 1985, the specialist ranks at E-5 and E-6 were discontinued.

//NOTHING FOLLOWS//