

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 97-01803

COUNSEL: NONE

HEARING DESIRED: NO

MAY 05 1998

---

APPLICANT REQUESTS THAT:

His request for a waiver of High Year **of** Tenure (HYT) be approved and his subsequent reenlistment to 1 August 2000 remain valid.

---

APPLICANT CONTENDS THAT:

He had been invited and did apply for High Year of Tenure (HYT) waiver, which he states was approved. He reenlisted to 1 August 2000, had his reenlistment processed and approved and subsequently **had** everything denied. He states he has the ability, desire and time to remain very active in the U. S. Air Force Reserve.

Applicant's submission is attached at Exhibit A.

---

STATEMENT OF FACTS:

The relevant facts pertaining to this application, extracted from the applicant's military records, are contained in the letter prepared by the appropriate office of the Air Force Office of Primary Responsibility (OPR). Accordingly, there is no need to recite these facts in this Record of Proceedings.

---

AIR FORCE EVALUATION:

The Director of Personnel Program Management, HQ ARPC/DPAD, states that their office received two letters in behalf of the applicant recommending approval of his request for a HYT waiver. One letter, dated 18 November 1996 was from [REDACTED] Chief, Personnel Security of USSTATCOM/J2431. The other letter, dated 19 November 1996 was from the Director, Reserve Affairs of HQ AIA/RE. At the time of receipt of these two letters the applicant was erroneously given an adjusted HYT date of 1 August 2000.

The Commander, Air Force Reserve Command, has established criteria for granting HYT waivers based on a serious degradation to the mission if the member is not allowed to stay on duty. The justification in this case does not meet that criteria. The applicant's HYT date was initially adjusted based solely on the fact that a request was submitted, not on the merits **of** the request. During a subsequent review, it was determined that a waiver should not be granted and the applicant **was so** notified. They recommend the applicant's request be disapproved.

A copy of the Air Force evaluation is attached at Exhibit C.

---

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Applicant states, in summary, that as a matter of current practicality, concomitant Air Force media coverage at all levels, continues to enumerate the tritulative effects of force wide downsizing, with involuntary departures, lowered morale and loss of experienced management as what is collectively contributing to the degradation of the mission so mentioned. The need for increasing reliance upon experienced and available Air Force Reserve personnel is, in fact, articulated by the Commander Air Force Reserve himself, among others. Applicant states that his waiver application process, as provided for by AFI 36-2612, Chapter 9, was followed by all parties in timely and proper order, and in full knowledge and consideration of the merits of the request by himself, his supervisor, commander, MAJCOM and, it appears at the time, by ARPC themselves.

A copy of the applicant's response is attached at Exhibit E.

---

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Insufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice. After a thorough review of the evidence of record and applicant's submission, we are not persuaded that his request for a waiver of High Year Tenure (HYT) should be approved and his reenlistment to 1 August 2000 remain valid. His contentions are duly noted; however, we do not find these assertions, in and by themselves, sufficiently persuasive to override the rationale provided by the Air Force. We therefore agree with the recommendations of the Air Force and adopt the rationale expressed as the basis for our

decision that the applicant has failed to sustain his burden that he has suffered either an error or an injustice. Therefore, we find no compelling basis to recommend granting the relief sought.

---

THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of probable material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

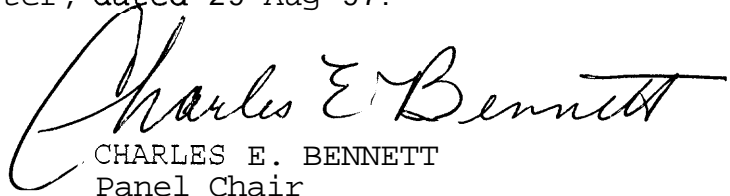
---

The following members of the Board considered this application in Executive Session on 24 March 1998, under the provisions of AFI 36-2603.

Mr. Charles E. Bennett, Panel Chair  
Mr. Allen Beckett, Member  
Mr. Patrick R. Wheeler, Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 13 Jun 97, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, HQ ARPC/DPAD, dated 5 Aug 97.
- Exhibit D. Letter, AFBCMR, dated 25 Aug 97.
- Exhibit E. Applicant's Letter, dated 29 Aug 97.

  
CHARLES E. BENNETT  
Panel Chair



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS AIR RESERVE PERSONNEL CENTER

05 AUG 1997

## MEMORANDUM FOR AFBCMR

1535 Command Dr EE Wing 3<sup>rd</sup> Floor  
Andrews AFB MD 20331-7002

FROM: HQ ARPC/DPAD  
6760 E Irvington Pl # 1700  
Denver CO 80280-1700

SUBJECT: Application for Correction of Military Records, ,  
[REDACTED]

1. The requested correction cannot be accomplished administratively at this headquarters.
2. The applicant requests that his previously approved waiver of High Year of Tenure (HYT) and subsequent reenlistment to 01 August 2000 remain valid and not denied.
3. The following is an analysis of the case:
  - a. The applicant was sent a letter thirteen months prior to his HYT advising him of his options, which included a transfer to the Retired Reserve, be discharged from his Reserve assignment, or apply for a one-time HYT waiver. The applicant chose to submit a HYT waiver.
  - b. Our office received two letters in behalf of the applicant recommending approval of his request for a HYT waiver. One letter, dated 18 Nov 96 was from [REDACTED], Chief, Personnel Security of USSTATCOM/J2431. The other letter, dated 19 Nov 96 was from [REDACTED], Director, Reserve Affairs of HQ AIA/RE. At the time of receipt of these two letters the applicant was erroneously given an adjusted HYT date of 01 Aug 2000.

## 4. Discussion:

a. The Commander, Air Force Reserve Command, has established criteria for granting HYT waivers based on a serious degradation to the mission if the member is not allowed to stay on duty. The justification in this case does not meet that criteria. The member's HYT date was initially adjusted based solely on the fact that a request was submitted, not on the merits of the request. During a subsequent review, it was determined that a waiver should not be granted and the member was so notified.

## 5. Recommendation:

a. Recommend disapproval. Disapproval will not result in a serious degradation of the mission.

b. If the application is approved, adjust the applicants HYTD to 1 August 2000, validate his re-enlistment, and adjust his expiration of term of service (ETS) to 1 August 2000.

9701803

c. If the application is disapproved, no further action is required. Member will be offered the opportunity to apply for transfer to the Retired Reserve awaiting pay at age 60 and he will be authorized RTAP benefits.

6. If you have any questions, please contact SSgt St. Cyr, toll free 1-800-525-0102, extension 401, or e-mail: [sstcyr@arpcmail.dendisa.mil](mailto:sstcyr@arpcmail.dendisa.mil).

[REDACTED]

[REDACTED]

9701803