



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

OCT 27 1998

Office of the Assistant Secretary

AFBCMR 97-03670

MEMORANDUM FOR THE CHIEF OF STAFF

Having received and considered the recommendation of the Air Force Board for Correction of Military Records and under the authority of Section 1552, Title 10, United States Code (70A Stat 116), it is directed that:

The pertinent military records of the Department of the Air Force relating to [REDACTED] be corrected to show that he was promoted to the grade of airman first class (E-3), effective, and with a date of rank of 17 October 1997.


JOE G. LINEBERGER
Director
Air Force Review Boards Agency

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

OCT 27 1998

IN THE MATTER OF:

DOCKET NUMBER: 97-03670

COUNSEL: None

HEARING DESIRED: No

APPLICANT REQUESTS:

Correction of his enlistment grade to airman first class (E-3).

APPLICANT CONTENDS THAT:

He received erroneous information (verbal and written) while assigned to Basic Military Training (BMT). He was informed in a travel briefing with other band instrumentalists during the third week of BMT that all of the airmen in the briefing would be airmen first class upon graduation. On 31 Oct 97, he discovered a problem with his pay which revealed that the travel order listing him as an airman first class was a result of a clerical error. He incurred financial obligations he would not have incurred had he known he was only entitled to the enlistment grade of airman basic (E-1).

Applicant's complete submission is attached at Exhibit A.

STATEMENT OF FACTS:

Air Force Form 3007 (Guaranteed Training Enlistment Agreement Non-Prior Service - United States Air Force), reflects the applicant enlisted in the Regular Air Force on 3 Oct 97 for a period of four years in the grade of airman basic.

A travel order (Special Order AB - 29927), dated 25 Sep 97, reflects the applicant's grade as airman first class.

AIR FORCE EVALUATION:

The Chief, Skills Management Branch, AFPC/DPPAE, reviewed this application and indicated that provisions of the Non-Prior Service Grade Determination policy in AFI 36-2002, Regular Air Force and Special Category Accessions, authorize advanced enlistment grades for enlistees. Since the applicant does not meet the criteria to qualify for advanced enlistment grade, DPPAE

recommends denial of his request., However, if the Board wishes to grant partial relief, they recommend he be awarded the monetary difference between pay grades E1 and E-3 for the period 17 Oct 97 (the date assumed pay grade E-3) to 31 Oct 97 (the date the error was discovered).

A complete copy of the Air Force evaluation, with attachment, is attached at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to applicant on 2 Feb 98 for review and response. As of this date, no response has been received by this office.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Sufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice. After reviewing the evidence of record, to include the supporting statements from applicant's former commander and Command Band Manager, we believe he should be promoted to the grade of airman first class, effective 17 October 1997, his graduation date from BMT. In arriving at this conclusion, we note the following:
 - a. according to applicant's enlistment contract, he would be an airman basic (E-1) upon graduation from BMT;
 - b. during BMT, he received a travel briefing indicating that upon graduation from BMT, he would be an airman first class (A1C) (E-3);
 - c. he received a set of travel orders listing him as an A1C;
 - d. his training instructor issued him A1C strips and instructed him to have them sewn on his uniform;
 - e. he was allowed to assume the rank of A1C on his graduation day from BMT. It appears that the applicant made every effort to bring these discrepancies to the attention of Air Force officials, however, he was reassured each time that he would be an A1C upon graduation from BMT. The discrepancy did not surface until he attempted to have his pay corrected on 31 October 1997. As this point in time, he had incurred financial obligations based on what he had been advised by competent authority. In view of the foregoing and in an effort to prevent any further injustice, we believe this matter should be resolved in the applicant's favor. Therefore, we recommend that his records be corrected to show he was promoted to A1C on the day of his graduation from BMT.

THE BOARD RECOMMENDS THAT:

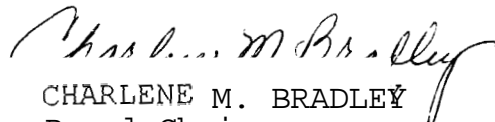
The pertinent military records of the Department of the Air Force relating to APPLICANT, be corrected to show that on 17 Oct 97, he was promoted to the grade of airman first class, effective, and with a date of rank (DOR) **of** 17 October 97.

The following members of the Board considered this application in Executive Session on 8 October 1998, under the provisions of AFI 36-2603:

Ms. Charlene M. Bradley, Panel Chair
Mr. Joseph G. Diamond, Member
Ms. Patricia D. Vestal, Member
Mrs. Joyce Earley, Examiner (without vote)

All members voted to correct the records, as recommended. The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 5 Dec 97, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPPAE, dated 22 Jan 98, w/atchs.
- Exhibit D. Letter, AFBCMR, dated 2 Feb 98.


CHARLENE M. BRADLEY
Panel Chair



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

MEMORANDUM FOR AFBCMR

22 JAN 1998

FROM: HQ AFPC/DPPAE
550 C Street West, Ste 10
Randolph AFB TX 78150-4712


SUBJECT: Request for Correction of Military Record [REDACTED]

The applicant requests correction of his enlistment grade to A1C (E-3) based on erroneous information (verbal and written) given him while assigned to Basic Military Training. He claims he incurred financial obligations he would not have, had he known he was only entitled to enlistment grade E-1. He has filed a timely request.

The AF Form 3007, *Guaranteed Training Enlistment Agreement Non-Prior Service - United States Air Force*, on file in applicant's military personnel record, reflects his enlistment pay grade as E-1. Applicant does not question the validity of the agreement, but contends BMT personnel convinced him he was entitled to pay grade E-3. In support, applicant provided a copy of assignment orders accomplished by 37 TRW, reflecting his grade as A1C.

Applicant states that other band instrumentalists in his squadron were entitled to enlistment pay grade E-3 based on college credits, BMT personnel apparently grouped applicant into the same category as these instrumentalists, but he did not receive pay at the E 3 rate.

Provisions of the Non-Prior Service Grade Determination policy in AFI 36-2002, Regular *Air Force and Special Category Accessions*, Attachment 4, authorize advanced enlistment grades for enlistees. Since applicant does not meet the criteria to qualify for advanced enlistment grade, we recommend denial of applicant's request. However, it the Board wishes to grant partial relief, recommend applicant be awarded the monetary difference between pay grades E-1 and E-3 for the period 17 Oct 97 (date assumed pay grade E-3) to 31 Oct 97 (date error was discovered).


C. RAMLOGAN, CMSgt, USAF
Chief, Skills Management Branch
Dir of Pers Program Management

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