



UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-02735

Work-Product

COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

1. Her declination of the Regular Air Force promotion to the grade of major (O-4) dated 1 Jun 99 be overturned.
2. Her records be corrected to show her original promotion to the grade of (O-4) and she be provided all back pay and allowances and special selection board (SSB) considerations for the applicable boards.
3. In the alternative, her records be corrected to show she was eligible for promotion consideration to the grade of O-4 in the Air Force Reserve in 1999 and 2000.

APPLICANT'S CONTENTIONS

She was not properly counseled by AFPC or her leadership when she was first selected for promotion to the grade O-4. The lack of proper counseling caused her to decline a promotion she should have accepted. Due to declining the promotion, she was not allowed to compete for promotion to the grade of O-4 in 2000 upon joining the Air Force Reserve.

In 1998, she declined her below-the-promotion-zone (BPZ) promotion selection to O-4 because she did not want to incur any more active duty service commitment (ADSC). She was provided inadequate counseling regarding the promotion. She understood she would incur a two year ADSC if she accepted the promotion. She separated on 7 May 00 when her education commitment was up and immediately joined the Individual Ready Reserve (IRR) and found a position in the National Air and Space Intelligence Center. She worked for a civilian who did not know anything about the Reserves and she knew very little herself. She did not meet another major's promotion board until 2001 and was promoted to the grade of O-4 on 1 Oct 01.

She requests her records be corrected to show she accepted the promotion to the grade of O-4 in 1998. If the Board is unable to rectify the original declination, she requests the Board correct her records for promotion eligibility in the Air Force Reserve in 1999 and 2000. Because she was not counseled properly, it was not until she was in the grade of colonel (O-6) that she learned of the process and potential to correct the situation. She requests an adjustment to her pay as well.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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The applicant is a brigadier general (O-7) in the Air Force Reserve.

On 31 May 89, the applicant entered a period of service in the Regular Air Force.

On 1 Jun 99, the applicant signed the declination of promotion memorandum. It states she was notified that she was recommended for promotion to the grade of O-4; however, she could decline the promotion up until 2400 hours of the day prior to the effective date of promotion. She stated she understood that if she declined the promotion, she could not assume the higher grade. Further, she acknowledged that she understood that if she declined the promotion and later decided to accept the promotion, she may request withdrawal of the declination statement up until the end of the fourth month following the date of the declination. The applicant signed "I decline this promotion" on 1 Jun 99.

On 7 May 00, the applicant was honorably discharged in the grade of captain (O-3), with a narrative reason for separation of "Completion of Required Active Service." She was credited with 10 years, 11 months and 7 days of active duty service.

The applicant was commissioned in the Air Force Reserve in the grade of O-3, effective 8 May 00.

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

AIR FORCE EVALUATION

AFPC/DPMSP recommends denial of the request. The applicant met and was selected for promotion to the grade of O-4 by the P0498B BPZ promotion board. On 1 Jun 99, the applicant signed the declination of promotion. As outlined in AFI 36-2107, *Active Duty Service Commitments*, dated 1 Sep 98, Table 1.12, Rule 2, Officers promoted to the grade of major, lieutenant colonel or colonel incur a two year ADSC. Upon accepting her promotion, she would have incurred an ADSC expiring in Jul 21. The applicant separated on 7 May 00 and immediately entered into the Air Force Reserve.

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 3 Oct 23 for comment (Exhibit D) but has received no response.

FINDINGS AND CONCLUSION

1. The application was timely filed.
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 AFPC/DPMSP and finds a preponderance of the evidence does not substantiate the applicant's contentions. The applicant

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contends she was not properly counseled regarding her active duty promotion selection to the grade of O-4 in 1998, resulting in her declining a promotion she should have accepted. The applicant now an O-7 in the Air Force Reserve requests her promotion dates be changed to show she accepted the active duty promotion to the grade of O-4 in 1998 or that her records be corrected to show she was eligible for promotion in the Air Force Reserve in 1999 and 2000. However, the applicant has provided no evidence to sustain she was miscounseled or her discharge in the grade of O-3 was improper or not voluntary. Based on the evidence, it appears the applicant did not want to accept a two year ADSC for promotion to the grade of O-4. Subsequently, on 1 Jun 99, the applicant signed the declination of promotion and voluntarily separated on 7 May 00. Therefore, the Board recommends against correcting the applicant's records.

4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

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-2023-02735 in Executive Session on 5 Dec 23:

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 16 Aug 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DPMSPP, dated 25 Sep 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 3 Oct 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.

8/17/2025

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Associate Director, AFBCMR
Signed by: USAF

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