



CUI//SP-MIL/SP-PRVCY

**UNITED STATES AIR FORCE
BOARD FOR CORRECTION OF MILITARY RECORDS**

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-03084

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His date of rank (DOR) for the grade of major (O-4) be corrected to 1 Mar 13.

In the alternative, he be considered for promotion to the grade of O-4 by the A0420A Major Reserve Officer Personnel Management Act (ROPMA) Promotion Board and his DOR for the grade of O-4 be 1 Oct 20.

APPLICANT'S CONTENTIONS

He joined the Air National Guard (ANG) on 18 Mar 20 in the grade of captain (O-3). However, he was a prior service Army officer and previously held the grade of O-4, with a DOR of 1 Mar 13. His prior service time was never added to his service dates and his DOR was incorrectly calculated and reflected as the date he was gained until 2021, which caused an extreme delay for promotion to O-4.

Additionally, he should have met the A0420A ROPMA promotion board and his DOR for O-4 should be 1 Oct 20. However, he ended up meeting the A0422A ROPMA board, two years later, and his DOR for O-4 is 7 Oct 22. His ANG unit attempted to correct his DOR; however, he transitioned to the Air Force Reserve.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air Force Reserve major (O-4).

The applicant served a prior period of active duty in the Regular Army and was honorably discharged on 24 Sep 13 in the grade of O-4, with a DOR of 1 Mar 13 and narrative reason for separation of "Miscellaneous/General Reasons."

On 18 Mar 20, the applicant was commissioned in the Reserve of the Air Force and the State ANG in the grade of O-3.

Per Special Order dated 7 Oct 22, the applicant was extended federal recognition and promoted to the grade of O-4, with DOR and effective date of promotion of 7 Oct 22.

On 2 Mar 23, the applicant was honorably discharged from the ANG in the grade of O-4 and transferred to the Air Force Reserve.

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POC: SAF.MRBC.Workflow@us.af.mil

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

APPLICABLE AUTHORITY/GUIDANCE

AFMAN 36-2032, *Military Recruiting and Accessions*, paragraph 5.9.1, Inter-Service Transfer. Commissioned officers in another uniformed service may be given the opportunity to apply for an inter-service transfer to the Air Force without interruption in their service under 10 U.S.C. § 716. Commissioned officers selected for inter-service transfers are discharged or terminated from their current commission and appointed in the Air Force without interrupting total service. The applicant was not an inter-service transfer but was commissioned in the Air Force Reserve after a break in service.

AIR FORCE EVALUATION

NGB/A1PO (Force Management) recommends denial. The applicant commissioned into the ANG on 18 Mar 20, after a break in service from the Army. AFMAN 36-2032, Table 5.10, provides guidance on calculating total years of service date (TYSD), DOR and total federal commissioned service date (TFCSD) for former officers of another uniformed service, who after discharge, accept an appointment in the Reserve of the Air Force after a break in service. The applicant's service credit was calculated based on his original oath date and date of separation. His TYSD and TFCSD were backdated 10 years, 4 months and 15 days (3 Nov 09) and his DOR was backdated 6 years, 4 months and 15 days (DOR of 3 Nov 13 for the grade of O-3).

General eligibility for promotion consideration is addressed in 10 U.S.C § 14301. To be eligible for consideration for promotion through a mandatory ROPMA board in the ANG, an officer must be on the Reserve Active Status List (RASL) for a one year period before the convening of a promotion board. Since the applicant was gained on 18 Mar 20, the earliest board he could have met would have been after 18 Mar 21. Therefore, the applicant was not eligible for the A0420A board. The applicant was subsequently promoted and federally recognized as promoted to the grade of O-4 effective 7 Oct 22.

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 31 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 NGB/A1PO and finds a preponderance of the evidence does not substantiate the applicant's contentions. The Board recognizes the applicant's prior service; however, he was commissioned in the ANG after a break in service. Therefore, his grade and DOR were calculated in accordance with AFMAN 36-2032. The Board also finds no evidence the applicant was unjustly not considered for promotion by the A0420A ROPMA promotion board. Based on the applicant's service dates and commission date

into the ANG, it appears the applicant was properly considered and selected for promotion by the A0422A ROPMA promotion board. Accordingly, the Board finds the applicant's DOR for the grade of O-4 is correct as reflected. 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 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-2023-03084 in Executive Session on 8 Feb 24:

<i>Work-Product</i>	Panel Chair
<i>Work-Product</i>	Panel Member
<i>Work-Product</i>	Panel Member

All members voted against correcting the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 21 Sep 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, NGB/A1PO, dated 26 Oct 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 31 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.

5/10/2024

Work-Product

Board Operations Manager, AFBCMR
Signed by: USAF