



Work-Product

UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

Work-Product

DOCKET NUMBER: BC-2023-02496

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

Backdate his date of rank (DOR) from 1 Oct 19 to 15 Jul 19 in order for him to be eligible to meet the CY24 USAFR Participating/Nonparticipating/Position Vacancy Line and Nonline Lieutenant Colonel Promotion Selection Boards, (U0524A).

APPLICANT'S CONTENTIONS

Due to no fault of his own, he was promoted months later than his commander intended due to system and administrative issues which resulted in him receiving a DOR of 1 Oct 19. At the time, his intelligence squadron commander (IS/CC) was new and did not yet have system access to "push" his early promotion through the Reserve's system. His IS/CC then requested their commander's support staff (CSS) to assist but they were also unable to access the system. Therefore, despite his IS/CC's intent to accelerate his promotion, they were unable to promote him until mid-Oct 19, with a retroactive DOR of 1 Oct 19. The harm incurred by this injustice is the 1 Oct date is one day later than the common cut-off date of 30 Sep for promotion boards. This effectively pushes his promotion eligibility back an entire year compared to his peers.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 22 Jul 13, according to Special Order *Work-Product* dated 22 Jul 13, the applicant was promoted to the grade of captain (O-3) with a DOR of 22 Jul 13.

According to the *Work-Product* *CY19 Major Selects*, undated, document provided by the applicant, reflects he was selected by the Mandatory Board, with a projected DOR of 22 Jul 20. The document contains the following: "The DOR and PED for officers selected from the mandatory board will be the date the officer completes the required time in grade (TIG) of 7 years, public release date, or 1 October 2019, whichever is later."

On 5 Apr 19, according to email from the applicant to the IS/CC, document provided by the applicant, he requested consideration for accelerated promotion.

AFBCMR Docket Number BC-2023-02496

Work-Product

Controlled by: SAF/MRB
Work-Product
Limited Dissemination Control: N/A
POC: SAF.MRBC.Workflow@us.af.mil

On 5 Aug 19, according to email traffic from the IS/CC to the CSS, document provided by the applicant, indicates they had instructed the CSS to initiate the process for the applicant's requested Accelerated Promotion.

On 8 Aug 19, according to myPers-Total Force Service Center email response, *Ceiling Grade, Accelerated Promotion Request Notification <applicant's name>*, document provided by the applicant, he was notified his Accelerated Promotion Request had been received and to allow 5 duty days for processing.

On 1 Oct 19, according to Reserve Order **Work-Product** dated 8 Oct 19, the applicant was promoted to the grade of major (O-4) with a DOR of 1 Oct 19.

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

APPLICABLE AUTHORITY/GUIDANCE

Air Force Instruction (AFI) 36-2504, *Officer Promotion, Continuation and Selective Early Removal in the Reserve Of The Air Force*, dated 9 Jan 03 (certified current 22 Jan 10), paragraph 6.5. Accelerated Promotion. An officer, on a promotion list as a result of selection for promotion by a mandatory promotion board (I/APZ or active duty selection - 10 U.S.C. Chapter 36), may be promoted at any time to fill a vacant position. The commander will complete a letter requesting the accelerated promotion of a selected officer (see Attachment 5). The commander will send the letter to the officer's senior rater for endorsement. The senior rater will forward the completed letter to HQ ARPC/DPJA, who will verify eligibility and initiate the promotion order. The letter requesting accelerated promotion must contain a recommended DOR. This date can be no earlier than the public release date (if the officer is in the position at that time), or the date the officer is placed in the higher graded position (after public release date). The letter requesting the accelerated promotion of a selected officer must arrive at HQ ARPC/DPJA 2 business days before the proposed DOR. This allows publication of the order prior to the promotion.

AFI 36-2406, *Officer and Enlisted Evaluations Systems*, 14 Nov 19, Attachment 1, *Terms*, Senior Rater (Officer). The evaluator designated by the Management Level who completes the PRF and also serves as reviewer on the OPR. Senior raters must be in a position to have personal knowledge or access to personal knowledge of the ratee's performance. They must also have the scope of responsibility and breadth of experience to assess performance and its significance as it relates to potential for promotion. The same senior rater normally evaluates all officers in an organization in a particular grade and promotion zone. For all majors and below, the senior rater must be at least a colonel (or equivalent) serving as a wing commander or equivalent. For all lieutenant colonels and colonels, the senior rater must be a general officer (or equivalent) and will be the first general officer in the rating chain AFPC/DP2SPE Active Duty List or AFRC/A1 (AFR unit) must approve exceptions.

AIR FORCE EVALUATION

ARPC/PB recommends denying the request. The applicant met and was selected for promotion to major on the CY19 USAFR Major Promotion Selection Board, which convened on 28 Jan 19. According to the release message, *ARPCM 19-14, CY19 Major Promotion Selection Board*, dated May 19, paragraph 4a, the DOR and promotion effective date (PED) for officers selected on the mandatory board will be the date that the officer completes the required time in grade (TIG) of 7 years, public release date, or 1 Oct 19, whichever is later. ARPCM 19-14, paragraph 5, specifically

addresses accelerated promotion requests and states officers may receive an accelerated promotion if they satisfy all eligibility requirements in accordance with AFI 36-2504, paragraph 6.5, which states that an Accelerated Promotion Request must be submitted to HQ ARPC/PBE via vPC on the myPers website. Requests must include the Senior Rater Identifier (SRID) and SR approval IAW the definition of SR in AFI 36-2406, Officer and Enlisted Evaluation Systems. For additional submission guidance, please refer to the "Accelerated Promotion Guide" located on myPers.

On 1 Oct 19, the applicant was promoted to the grade of major, as that is when he hit the 7 years TIG requirement. In his commander's memorandum to the BCMR, they state that they did not have access to the system to submit the accelerated promotion request. However, the system did not allow the commander to submit the request because, in accordance with ARPCM 19-14 and AFI 36-2504, they were not the applicant's senior rater. In this regard, both the commander and the CSS failed to follow the published guidance and/or regulations for requesting accelerated promotion. In addition, the applicant has not provided sufficient information or documentation showing attempts were made to contact the ARPC, Selection Board Secretariat, and as such, they cannot determine if the commander, senior rater, or support staff made any attempts to contact this office. Furthermore, there is no evidence showing that the senior rater supported or approved the accelerated promotion request. Finally, due to the lack of follow up prior to and after the applicant was promoted indicates that the 1 Oct 19 promotion date was accepted by both the applicant and his leadership.

Lastly, they note that it has been almost four years since he was promoted. In accordance with AFI 36-2603, *Air Force Board for Correction of Military Records*, paragraph 3.5, *Meeting Time Limits*, applicants must file an application within 3 years after the error or injustice was discovered, or, with due diligence, should have been discovered. His application notes the first date of discovery of the injustice was Oct 19, approximately the date that he was promoted. However, he waited almost four years to submit his request, which exceeds the time limits.

Therefore, there is no evidence that an injustice occurred in this case.

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 19 Sep 23 for comment (Exhibit D), and the applicant replied on 20 Sep 23. In his response, the applicant contended that the advisory contained a factual error, and interpretation inaccuracies that could alter the advisory decision in his favor. Specifically, he contends that the factual error is the assertion that his 1 Oct 19 promotion date was at his 7 year TIG point. This is incorrect as his DOR to captain was 22 Jul 13, which means that his 7-year TIG point would be 22 Jul 20, not 1 Oct 19, as supported by the "~~Work-Product~~ CY19 Major Selects" attachment. This infers he was promoted early, and as such, his senior rater must have approved the accelerated promotion request. Additionally, this is supported by the email traffic which shows his commander's intent, CSS involvement, ARPC communication, and a clear delay between CSS submission in Aug 19 and ARPC approval on 8 Oct 19, with a backdated DOR to 1 Oct 19.

The myPers Accelerated Promotion Guide from 2019 shows that the application had to be submitted by the "CSS, Unit CC or SR" with eventual approval from the SR, which contradicts ARPC's interpretation that the system did not allow his commander "to submit the request because she was not the applicant's Senior Rater." His commander wanted to submit him for early

promotion but did not have the correct vPC access. She then asked the CSS to submit, which they eventually were able to do, after significant delay. As such, his senior rater must have approved the accelerated promotion because he was eventually promoted early. While ARPC contends they do not have any records or correspondence regarding this early promotion, the myPers response, *Grade Ceiling, Accelerated Promotion Request Notification* <applicant's name>, dated 8 Aug 19, shows that the Total Force Service Center had received his application.

Finally, he disagrees with the advisory's interpretation of the timing on when he noticed the injustice. From his perspective, the reason he submitted this BCMR request is that he is yet again unable to meet a promotion board due to bureaucratic delay and system issues, which is an injustice. He was not aware that his DOR of 1 Oct 19 would cause him to miss his lieutenant colonel position vacancy promotion board by one day, until he suspected that there may be a problem when they released ARPCM 22-04 back in 2022. This means that he noticed the injustice at the one and one-half year point, not the four year point. He accepted the 1 Oct 19 promotion date to major, and if it wasn't causing him to be a year behind his peers, he wouldn't mind the date. So, if the Board was able to backdate his DOR to at least 30 Sep 19, which is the promotion board cut-off date, he would be perfectly happy.

The applicant's complete response is at Exhibit E.

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 ARPC/PB and finds a preponderance of the evidence does not substantiate the applicant's contentions. Specifically, the Board determines that the lack of follow-up by either the applicant or his commander prior to and after the applicant being promoted is indicative that the applicant's promotion date of 1 Oct 19 was accepted by both. 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-2023-02496 in Executive Session on 7 Nov 23:

Work-Product	Panel Chair
Work-Product	Panel Member
Work-Product	Panel Member

AFBCMR Docket Number BC-2023-02496

Work-Product

Work-Product

- All members voted against correcting the record. The panel considered the following:
- Exhibit A: Application, DD Form 149, w/atchs, dated 2 Aug 23.
 - Exhibit B: Documentary evidence, including relevant excerpts from official records.
 - Exhibit C: Advisory Opinion, ARPC/PB, w/atch, dated 12 Sep 23.
 - Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 19 Sep 23.
 - Exhibit E: Applicant’s Response, w/atchs, dated 20 Sep 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

X Work-Product

Work-Product

Associate Director, AFBCMR

Signed by: USAF