SEC. ___. AUTHORITY TO DESIGNATE CERTAIN INACTIVE RESERVE OFFICERS AS NOT TO BE CONSIDERED FOR SELECTION FOR PROMOTION.

Section 14301 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(i) CERTAIN OFFICERS NOT TO BE CONSIDERED FOR SELECTION FOR PROMOTION.—The Secretary concerned may provide that an officer who is in an active status but in a duty status in which the only points the officer accrues under section 12732(a)(2) of this title are pursuant to subparagraph (C)(i) of such section (relating to membership in a reserve component) shall not be considered for selection for promotion at any time the officer otherwise would be so considered. The officer may remain on the reserve active-status list.".

Section-by-Section Analysis

Currently, section 14301 of title 10, United States Code, allows consideration for promotion to the next higher grade of officers in a non-participatory (membership points only) status. Most of these officers are released from active duty and transferred to the Individual Ready Reserve without obtaining a position that allows participation (either paid or non-paid). In a non-participatory status, these officers are not as competitive for promotion as those currently participating and earning pay and/or points for several reasons. For example, the individual cannot demonstrate the potential to serve in the next higher grade; there is no rater and no annual report of performance is written.

Officers accepting separation incentive pay (10 U.S.C. 1174(e), 1174a, and 1175) incur a commitment to serve in the Individual Ready Reserve (IRR) for a period of time. During the first three years, most of these officers will compete for both in- and above-the-zone promotions. Because of their non-participatory status, they will likely be non-selected for promotion. Screening and reassignment of officers to the Inactive Status List is one solution, but in the case of those with separation incentive pay, not permissible by law. These officers must remain in the Individual Ready Reserve and are therefore vulnerable for promotion consideration and removal from the Reserve Active-Status List (RASL) due to twice failing selection for promotion.

For those not affected by separation incentive pay restraints, after two years in the Individual Ready Reserve (where available for a presidential recall), they would be successively screened to the Inactive Status List (where they are unavailable for presidential recall, but available to higher levels of mobilization (congressionally-declared war or national emergency)). This status prevents promotion consideration until a Reserve assignment is located and the

officer again is competitive for promotion. Screening to the Inactive Status List does not solve the non-select problem, as the screening may not occur prior to in-promotion-zone consideration and cannot occur until after a minimum of three years have passed for those who accepted separation incentive pay.

This proposal would authorize the Secretaries of the military departments to defer promotion eligibility. Trained personnel would be allowed to fulfill their contractual obligation to the Reserve, remain a mobilization asset, and eventually be screened to Inactive Status where a less career-ending removal from the RASL is available. If the officer desires to pursue a Reserve career, the officer is not, at best, in a deferred status (once not selected for promotion) or, at worst, not ever eligible for participation in the Reserve because of twice non-selection for promotion and removal from the RASL. Therefore, the officer has time to become competitive and contribute to the Reserve forces.

Budget Implications: Selection Boards take the time and expense to review the records of non-participating officers assigned to the IRR. This proposal permits the military departments to defer promotion eligibility of officers assigned to the IRR and, thereby, reduces the time and expense of affected Boards. The proposal should have no budgetary impact.

AFR Comptroller has verified that any budgetary impact that this initiative creates will be addressed with appropriations identified in the table below:

RESOURCE REQUIREMENTS ($MILLIONS)								
	FY 2011	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**Appropriation To**	**Budget Activity**	**Line Item**
USAFR	$1.703	$1.763	$1.861	$1.861	$1.999	Reserve Personnel, Air Force	01	10 20 30 40 60 70 80 90 100 120 130

Changes to Existing Law: This proposal would make the following changes to section 14301 of title 10, United States Code:

SEC. 14301. ELIGIBILITY FOR CONSIDERATION FOR PROMOTION: GENERAL RULES.

(a) – (h) * * *

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"(i) CERTAIN OFFICERS NOT TO BE CONSIDERED FOR SELECTION FOR PROMOTION.—The Secretary concerned may provide that an officer who is in an active status but in a duty status in which the only points the officer accrues under section 12732(a)(2) of this title are pursuant to subparagraph (C)(i) of such section (relating to membership in a reserve component) shall not be considered for selection for promotion at any time the officer otherwise would be so considered. The officer may remain on the reserve active-status list.