

IN THE CASE OF: [REDACTED]

BOARD DATE: 18 July 2024

DOCKET NUMBER: AR20230001178

APPLICANT REQUESTS: through counsel:

- a. in effect, removal of the Summary of Credible Adverse Information under the Army Adverse Information Program (AAIP) from the AAIP database;
- b. in effect, expungement of the Army Regulation 15-6 (Procedures for Administrative Investigations and Board of Officers) investigation findings and recommendations, 7 May 2018, from Department Defense (DOD) Inspector General (IG) files due to error and injustice; and
- c. a personal appearance hearing before the Board via video/telephone.

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record under the Provisions of Title 10, U.S. Code, Section 1552)
- Office of the Staff Judge Advocate, Headquarters, U.S. Army Cadet Command and Fort Knox, Memorandum (Request for Reconsideration, (Applicant)), 27 December 2022
- Letter to the Army Board for Correction of Military Records (ABCMR), 10 November 2021, with enclosures –
  - DA Form 67-10-2 (Field Grade Plate (Major-Lieutenant Colonel; Chief Warrant Officer 3-Chief Warrant Officer 5) Officer Evaluation Report (OER)) covering the period 27 November 2017 through 31 May 2018
  - Numerous Letters of Support
- U.S. Army Intelligence Center of Excellence (USAICOE) and Fort Huachuca Memorandum (Findings and Recommendations for Army Regulation 15-6 Investigation: USAICOE Reserve Component Office (RCO) Toxic/Destructive Leadership), 7 May 2018
- Attorney Work Product Memorandum (Legal Review of Army Regulation 15-6 Investigation; Command Climate and Toxic Leadership within the USAICOE RCO), 10 May 2018

- Memorandum for Chief of Staff, USAICOE (Response to Army Regulation 15-6 Investigation into Allegations of Toxic Leadership), 11 June 2018, with exhibits
- DA Form 1574-1 (Report of Proceedings by Investigating Officer), undated
- Memorandum for DODIG (Response to Adverse Summary), 9 November 2021, with Numerous Evaluations and Decorations/Awards

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the ABCMR conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.
2. The applicant states, in effect, he is requesting removal of the Summary of Credible Adverse Information from the AAIP database as well as expungement of the Army Regulation 15-6 investigation findings and recommendations, 7 May 2018, from DODIG files due to error and injustice.
3. Following prior enlisted service in the Army National Guard, he was appointed as a commissioned officer in the Army National Guard in the rank/grade of second lieutenant/O-1 and executed his oath of office effective 19 August 2000. He was promoted to the rank/grade of captain/O-3 effective 24 October 2004.
4. National Guard Bureau Special Orders Number 86 AR, 31 March 2006, transferred him to the U.S. Army Reserve in the rank of captain effective 26 February 2006.
5. He was promoted to the rank/grade of lieutenant colonel/O-5 effective 1 September 2017.
6. On 7 May 2018, an investigating officer (IO) completed an Army Regulation 15-6 investigation wherein he determined the following (see attachment with auxiliary documents/exhibits):
  - a. Background. On 23 April 2018, Colonel (COL) [REDACTED] Chief of Staff, USAICOE, appointed COL [REDACTED] as the IO pursuant to Army Regulation 15-6. The purpose of the investigation was to determine the facts and circumstances surrounding the allegations of toxic and or destructive leadership in the USAICOE RCO in violation of Army Regulation 600-100 (Army Profession and Leadership Policy).
  - b. Summary. The IO found limited to no evidence of destructive leadership styles falling outside of guidelines set forth in Army Regulation 600-100. However, the USAICOE RCO does not display an organizational culture that fosters unit cohesion and trust in accordance with Army Regulation 600-100.

c. Findings. After carefully considering the evidence, the IO found that:

(1) COL [REDACTED] does not display the characteristics of a "toxic or disruptive" leader as outlined by Army Regulation 600-100. He has, however, displayed indications of a lack of confidence or understanding of his role and mission. This compounded by no overlapping training with his predecessor and a personality conflict with his deputy created a situational miscommunication leading to a personality conflict.

(2) The USAICOE RCO does not display an organizational culture and unit climate that fosters unity, cohesion, and trust, as provided in Army Regulation 600-100, paragraph 1-7b. This is primarily because of the applicant's leadership and his unprofessional interaction with COL [REDACTED] and not COL [REDACTED] leadership.

d. Recommendation. In view of the above findings, the IO recommended:

(1) COL [REDACTED] should receive mentorship as well as counseling regarding the performance and mission of the RCO and

(2) reassignment of the applicant from the RCO as soon as possible.

7. The attorney work product memorandum for the Chief of Staff, USAICOE from the attorney/advisor (Legal Review of Army Regulation 15-6 Investigation; Command Climate and Toxic Leadership within the USAICOE RCO), 10 May 2018, states he reviewed the report of the Army Regulation 15-6 investigation into allegations of failure to maintain a positive command climate and toxic leadership within the RCO on Fort Huachuca. He determined the investigation proceedings were conducted in compliance with applicable legal requirements and identified no errors.

8. His memorandum for the Chief of Staff, USAICOE (Response to Army Regulation 15-6 Investigation into Allegations of Toxic Leadership), 11 June 2018, with exhibits, requests dismissal of the allegations of toxic/destructive leadership as unsubstantiated. He describes the USAICOE RCO environment and denies all the allegations against him. He states the USAICOE IG assured him that there would be no retaliation for filing a DODIG complaint. He believes the RCO became a more cohesive, high-performing team as a result of his leadership (see memorandum and exhibits for details).

9. The DA Form 1574-1 shows the approving authority approved the IO's findings and recommendations with his signature on an unspecified date.

10. The applicant's memorandum for the DODIG (Response to Adverse Summary), 9 November 2021, with numerous evaluations and awards/decorations, explained he has a deficient Army Regulation 15-6 investigation against him with no real examples of

his having a toxic leadership style. He noted the IO failed to interview key witnesses having first-hand knowledge of the situation. He believes the IO's recommendation of removing him from his assignment and reassigning him was a retaliatory act. The adverse letter in his file could negatively affect his military future. He has numerous awards, recognitions, and exceptional OERs as proof of his professionalism and potential (see memorandum and allied documents for details).

11. The applicant's letter to the ABCMR, 10 November 2021, states:

a. It is erroneous and/or unjust to permit the substantiated Army Regulation 15-6 investigation findings and recommendations to remain in his file as adverse information, as the findings were incorrect.

b. Summary of Facts.

(1) The Army Regulation 15-6 investigation stems from a DODIG complaint he made, requesting that the IG investigate the toxic leadership by his supervisor, COL [REDACTED]. He had several consultations with an IG representative in which he was assured there would be no retaliation for filing a complaint. However, filing the IG complaint triggered an Army Regulation 15-6 investigation focused on him and substantiated toxic leadership qualities that in reality can be attributed to COL [REDACTED]. Retaliation from COL [REDACTED], his senior rater and the approving authority, and other staff in his office resulted in the findings of toxic leadership.

(2) Prior to submission of his DODIG complaint, he informed COL [REDACTED] that he felt uncomfortable and anxious coming to work. There was a lot of conflict between senior noncommissioned officers, disrespectful and untrained contractors, and a general lack of discipline. He made it his goal to positively change the atmosphere. When COL [REDACTED] took charge of the RCO at [REDACTED], he sat down with him to explain the negative dynamic of the office. Instead of supporting him, COL [REDACTED] twisted the information, sided with the staff, bullied, mocked, and intimidated him.

(3) The Army Regulation 15-6 investigation includes a few negative statements about him by civilian contractors and Soldiers in the RCO. The statements stem from the fact that he was focused on changing procedures the staff were accustomed to in order to bring the office up to standard. When he arrived at the Fort Huachuca RCO, he saw a problem with the way the office handled personally identifiable information (PII). As the new deputy, he saw a need to bring the PII procedures up to standard. He was persistent in reminding staff to encrypt PII. The office was not responsive to the change.

(4) His concerns persisted, so he felt the need to go to COL [REDACTED] to inform him of the situation and see what they could do to fix it. He expressed that he was considering filing an IG complaint, as COL [REDACTED] was also not responsive in

addressing the issue and continued to bully and intimidate him. COL [REDACTED] discouraged him from filing an IG complaint and told him that he would handle it. He told him that he did not want officers "keeping books on each other" and mentioned that it's the "Fort Huachuca Mafia." The atmosphere did not improve. He again told COL [REDACTED] he wanted to file an IG complaint and he told him he did not want me to. However, he felt the need to remedy the situation, so he went to his local IG office and talked to them. After several consultations, the IG office suggested he file a complaint through the DODIG website. He believed they suggested this because they did not want to upset COL [REDACTED] by getting the local IG involved.

(5) COL [REDACTED] then told him he was going to have him investigated, even though there were no complaints made against him. He was then found by the investigating officer (IO), COL [REDACTED] to be the source of the toxic leadership. COL [REDACTED] was a friend of COL [REDACTED]. The substantiated Army Regulation 15-6 investigation findings and recommendations were then approved by COL [REDACTED]. He submitted a rebuttal to the Army Regulation 15-6 investigation findings and recommendations at that time, which was unsuccessful.

(6) The adverse findings only resulted in a local letter of concern. However, recently the adverse findings have caused him to be passed over for selection to the Senior Service College and caused him to be referred to a Promotion Review Board this past September. Having exhausted all administrative remedies, he petitions a review by this Board.

(7) His change-of-rater OER covering the period 27 November 2017 through 31 May 2018 and the period of the Army Regulation 15-6 investigation, shows his rater, COL [REDACTED] and his senior rater, COL [REDACTED] rated his performance and potential as "Excels" and "Highly Qualified."

(8) He provides numerous letters of support noting his excellent performance and excellent leadership.

c. Permitting the substantiated Army Regulation 15-6 investigation findings and recommendations to remain in his records constitutes an error and/or injustice. The evidence does not prove he is a toxic leader as defined by regulatory guidance. His OERs covering the time of the investigation reflect only positive performance and do not indicate anything negative regarding his leadership. The adverse findings against him constitute an injustice because the purpose of the local letter of concern has been served. Since the Army Regulation 15-6 investigation, he continued to serve in leadership positions with increased responsibilities.

12. Counsel's memorandum (Request for Reconsideration, (Applicant)), 27 December 2022, states:

a. On 10 November 2021, the applicant petitioned this Board for removal of a substantiated Army Regulation 15-6 adverse finding and a letter of concern from the AAIP database. The applicant then received a letter from the ABCMR dated 10 October 2022, indicating an Army Regulation 15-6 investigation was not found within his AMHRR and therefore no further action was taken.

b. The referenced Army Regulation 15-6 investigation was not filed in the applicant's AMHRR. Rather, it was locally filed and a Summary of Credible Adverse Information was filed in the AAIP database. This adverse filing has continued to cause the applicant to be non-competitive against his peers for command positions, schools, and promotion boards, and to be non-selected for the Senior Service College.

c. Army Regulation 15-185 (Army Board for Correction of Military Records), paragraph 2-3a, states that "[t]he ABCMR's jurisdiction under 10 USC 1552 [Title 10, U.S. Code, section 1552] extends to any military record of the DA [Department of the Army]." However, the board only reviewed his AMHRR and did not review the AAIP database for adverse investigations against him. His initial packet included this information, stating the Army Regulation 15-6 investigation findings and recommendations were locally filed and therefore not documented in his AMHRR.

13. His records do not contain any documentation showing the DODIG responded to and/or the results of his complaint.

14. He is currently serving as the U.S. Army Reserve Advisor/Liaison Officer for the

#### BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the applicant's military records, the Board found relief is warranted.

2. The Board found the evidence demonstrates the AR 15-6 investigation in question in this case overreached in finding the applicant to be "the source of destructive and toxic leadership" in his unit. Considering all of the available evidence, the Board found a more appropriate conclusion would have been that the applicant and his new supervisor had a personality conflict that could have been—and should have been—resolved privately rather than through the investigative process. Based on a preponderance of the evidence, the Board determined the record of the AR 15-6 investigation should be removed from any IG databases and the AAIP database.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

█	█	█	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by removing the record of the AR 15-6 investigation from any relevant IG databases and the AAIP database.

1/6/2025

X

CHAIRPERSON

I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Title 10, U.S. Code, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.
2. Army Regulation 15-185 (Army Board for Correction of Military Records) prescribes policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. Board members will review all applications that are properly before them to determine the existence of an error or injustice and direct or recommend changes in military records to correct the error or injustice, if persuaded that material

error or injustice exists and that sufficient evidence exists in the record. The ABCMR will decide cases on the evidence of record; it is not an investigative body. The ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence. The ABCMR may, in its discretion, hold a hearing (sometimes referred to as an evidentiary hearing or an administrative hearing) or request additional evidence or opinions. Applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

3. Army Regulation 15-6 (Procedures for Administrative Investigations and Boards of Officers) establishes procedures for conducting preliminary inquiries, administrative investigations, and boards of officers when such procedures are not established by other regulations or directives. Even when not specifically made applicable, this regulation may be used as a general guide for investigations or boards authorized by another regulation or directive, but in that case, its provisions are not mandatory.

a. The primary function of any preliminary inquiry, administrative investigation, or board of officers is to ascertain facts, document and preserve evidence, and then report the facts and evidence to the approval authority. It is the duty of the investigating officer or board to thoroughly and impartially ascertain and consider the evidence on all sides of each issue, to comply with the instructions of the appointing authority, to make findings that are warranted by the evidence, and, where appropriate, to make recommendations to the approval authority that are consistent with the findings.

b. Paragraph 2-8c (Action of the Approval Authority – Referral of Adverse Information) states:

(1) When an investigation includes a finding containing adverse information (as defined in the glossary) regarding a field grade officer, the portion of the report of investigation and supporting evidence pertaining to the adverse information must be referred to that officer in accordance with paragraph 5-4.

(2) For those findings that are adverse to a field grade officer, which the approval authority intends to approve, the approval authority will give the officer notice and an opportunity to respond before taking final action. The servicing SJA or legal advisor will ensure that the referral is properly made (see subparagraph (5), below).

(3) A redacted copy of the investigation will be referred to the officer by memorandum (see figure 2-6). The referral must notify the officer of the general nature of the adverse information. In addition, the referral must notify the officer that:

(a) the officer has the right to remain silent, and that anything the officer may say or submit in response to the adverse information may be used against him or her in



ongoing or subsequent adverse administrative or Uniform Code of Military Justice proceedings;

(b) adverse information from an officially documented investigation or inquiry must be furnished to a selection board for promotion to a grade above COL in accordance with Title 10, U.S. Code, section 615, and may be provided to other selection boards; and

(c) the approval authority will consider any response the officer provides and may use it to approve, modify, or disapprove any relevant finding(s) or recommendation(s), or as evidence in current or future actions resulting from the investigation.

(4) The officer will be granted at least 10 business days to respond to the referral. Reasonable requests for an extension of this deadline should be granted for good cause to ensure that the officer has an adequate opportunity to gather evidence and prepare a response.

(5) Action on Receipt of Rebuttal.

(a) Upon receipt of any material in response to the adverse information, the approval authority's servicing staff judge advocate (SJA) or legal advisor will package the materials as an exhibit to the report of proceedings and provide them to the approval authority for his or her consideration. If the subject officer elects not to respond, or fails to do so within the period authorized, the servicing SJA or legal advisor will attach a memorandum stating that the officer elected not to respond or did not respond within the period authorized, along with the referral documents, to the report of proceedings.

(b) When considering the officer's response and whether to substantiate any finding as adverse, the approval authority should consider only evidence that is relevant to the matter under investigation. For instance, evidence of the officer's character or past performance is relevant only to the extent that it reflects on the officer's integrity if his or her statements are contrary to the statements of others.

c. Paragraph 2-9 (Request for Reconsideration) states:

(1) Right to Request Reconsideration. A subject, suspect, or respondent (such as an officer against whom an adverse finding was made) may request reconsideration of the findings of an inquiry or investigation upon the discovery of new evidence, mistake of law, mistake of fact, or administrative error. New evidence is that information that was not considered during the course of the initial investigation and that was not reasonably available for consideration. New evidence neither includes character-

reference letters nor information that, while not considered at the time of the original investigation, the subject of the investigation could have provided during the course of the investigation.

(2) Limitations.

(a) A request for reconsideration is not permitted when the investigation resulted in administrative, nonjudicial, or judicial action, or any action having its own due process procedural safeguards.

(b) Requests for reconsideration must be submitted to the approval authority within 1 year of the approval authority's approval of the investigation. The approval authority may entertain a request outside of 1 year for good cause. While not exhaustive, good cause is the discovery of new relevant evidence beyond the 1-year time limitation, which the requester could not have discovered through reasonable diligence, or the requester was unable to submit, because duty unreasonably interfered with his or her opportunity to submit a request. The approval authority's determination of good cause is final.

(c) Standing. A request for reconsideration will only be considered if the material presented impacts a finding concerning the requester.

(3) Procedure.

(a) All requests for reconsideration must be submitted through the Office of the SJA/legal advisor responsible for advising the approval authority at the time he or she approved the original investigation. If the approval authority has changed assignments or duty location, the SJA or legal advisor receiving the request, will present it to the approval authority's successor who, for purposes of the request for reconsideration, will be the approval authority.

(b) Upon receipt of a request for reconsideration, the approval authority will determine whether the material presented would impact any finding concerning the requester and, if so, whether the impact is such that the finding is no longer supportable by a preponderance of the evidence.

(c) If, after considering a request for reconsideration, the approval authority determines that the finding is no longer supportable, the approval authority will modify the approved findings and update any database or record where the original findings were sent.

(d) Whether or not the approval authority takes favorable action, he or she will ensure the requester is informed of the action taken on the request. The failure to

inform, however, does not create a substantive right that impacts the request or the original findings.

4. Army Regulation 600-37 (Unfavorable Information) sets forth policies and procedures to authorize placement of unfavorable information about Army members in individual official personnel files; ensure that unfavorable information that is unsubstantiated, irrelevant, untimely, or incomplete is not filed in individual official personnel files; and ensure that the best interests of both the Army and the Soldier are served by authorizing unfavorable information to be placed in and, when appropriate, removed from official personnel files.

a. Paragraph 1-4 states the objectives of Army Regulation 600-37 are to apply fair and just standards to all Soldiers; protect the rights of individual Soldiers and, at the same time, permit the Army to consider all available relevant information when choosing Soldiers for positions of leadership, trust, and responsibility; to prevent adverse personnel action based on unsubstantiated derogatory information or mistaken identity; to provide a means of correcting injustices if they occur; and, to ensure that Soldiers of poor moral character are not continued in service or advanced to positions of leadership, trust, and responsibility.

b. Paragraph 3-2c states unfavorable information that should be filed in official personnel files includes indications of substandard leadership ability, promotion potential, morals, and integrity. These traits must be identified early and shown in permanent official personnel records that are available to personnel managers and selection board members for use in making decisions that may result in selecting Soldiers for positions of public trust and responsibility, or vesting such persons with authority over others. Other unfavorable character traits of a permanent nature should be similarly recorded.

5. Army Regulation 600-100 (Army Profession and Leadership Policy) establishes Army Profession and leadership policy by defining key terms and responsibilities associated with the Army Profession and appropriate leadership practices and methods for Soldiers and Army civilians. This includes assigning responsibilities and definitions among the Army Profession and leadership policy proponent, the Assistant Secretary of the Army (Manpower and Reserve Affairs); the Deputy Chief of Staff, G-1; and the Army leader development policy proponent, Deputy Chief of Staff, G-3/5/7, and CG, U.S. Training and Doctrine Command, the primary Army Profession and leadership action agent.

a. Paragraph 1-11 (Core Leadership Competencies, "Toxic" Leadership, and Destructive Leadership Styles) states that to produce an Army of trusted professionals in cohesive teams who adapt and win in a complex world, the Army has identified core leader competencies that pertain to all levels of leadership, both military and civilian.

Core leader competencies are related leader behaviors that lead to successful performance, are common throughout the organization, and are consistent with the organizational mission and the Army Ethic. Core leader competencies support the executive core competencies that Army civilians are expected to master as they advance in their careers.

b. Army professionals are required to uphold the Army Ethic and model the core leader competencies described above. They must remain vigilant to guard against counterproductive leadership behaviors from themselves as well as in the units with which they serve. Counterproductive leadership can take different forms, from incompetence to abusiveness, all of which have detrimental impacts on individuals, the unit, and the accomplishment of the mission. Counterproductive leadership behaviors can span a range of behaviors to include bullying, distorting information, refusing to listen to subordinates, abusing authority, retaliating, blaming others, poor self-control (loses temper), withholding encouragement, dishonesty, unfairness, unjustness, showing little or no respect, talking down to others, behaving erratically, and taking credit for others' work. One such type of counterproductive leadership is toxic leadership, which is defined as a combination of self-centered attitudes, motivations, and behaviors that have adverse effects on subordinates, the organization, and mission performance. To be classified as toxic, the counterproductive behaviors must be recurrent and have a deleterious impact on the organization's performance or the welfare of subordinates. An exacerbating factor may be if the behaviors demonstrate selfish reasons such as elevating one's own status, grabbing power, or otherwise obtaining personal gain. Counter-productive leadership behaviors prevent the establishment of a positive organizational climate, preclude other leaders from fulfilling their requirements, and may prevent the unit from achieving its mission. They will lead to investigations and, potentially, removal from position or other punitive actions. Army leaders are required to utilize self-awareness programs (Multi-Source Assessment Feedback, Commander 360, and others) to ensure they receive feedback indicating whether they exhibit appropriate behaviors for an Army leader. Army leaders are required to provide performance and professional growth counseling to subordinate leaders to prevent or remedy counterproductive leadership.

6. Secretary of the Army memorandum (Army Directive 2023-03 (AAIP)), 22 February 2023, states:

a. Purpose. Pursuant to the 2020 National Defense Authorization Act, the requirements in references 1a and 1b were broadened to include pre-board adverse information screening for officers O-4 and above in the Regular Army and officers O-6 and above in the Reserve Components. This directive updates and expands the AAIP, the repository for adverse information resulting from administrative investigations conducted pursuant to Army Regulation 15-6, to comply with the new screening requirements.

b. Applicability. This directive applies to the Regular Army, as well as the Army National Guard/Army National Guard of the United States and U.S. Army Reserve (referred to collectively as the Reserve Components).

c. Policy.

(1) Army Regulation 15-6 is hereby amended as follows:

(a) Substantiated adverse findings from administrative investigations must be filed in the AAIP database for all officers in the grade of O-1 and above.

(b) Paragraph 3-19b is expanded to require adverse summaries against all officers O-1 and above to be filed in the AAIP database and maintained in accordance with paragraph 3-19b.

(c) Paragraph 4-3b is expanded to include all officers in the grades of O-1 and above.

(d) The requirement to refer all potentially adverse information regarding an officer, currently limited to field grade officers in paragraph 2-8c, is expanded to include all officers in the grades of O-1 and above.

(e) The right to respond to adverse information, currently afforded to field grade officers in paragraph 5-4a, is expanded to include all officers in the grades of O-1 and above. Nothing precludes approval authorities from extending the right to respond to any individual who is the subject of adverse information. Only substantiated adverse information regarding officers in the grades of O-1 and above is required to be uploaded to the AAIP database.

(f) The approval authority is responsible for ensuring any adverse information contained in an administrative investigation conducted pursuant to Army Regulation 15-6 meets the requirements of reference 1c, enclosure 4, paragraph 1a, prior to approval and is recorded in the AAIP database. The approval authority's SJA or legal advisor is responsible for completing the administrative tasks necessary to record the information under the direction of the investigation approval authority.

(2) To comply with the new screening requirements, National Guard complex administrative investigations, conducted pursuant to reference 1e, with adverse findings against Army officers in the grades of O-1 and above will be uploaded to the AAIP database.

(3) Army Regulation 135-155 (Promotion of Commissioned Officers and Warrant Officers) and Army Regulation 600-8-29 (Officer Promotions) will be updated to reflect

use of the AAIP database in the officer promotion process pursuant to references 1a through 1c.

(4) AAIP entries will be recorded in accordance with reference 1f, paragraph 3-19b.

d. Effective Date. The provisions of this directive are effective 30 calendar days from the date of signature and apply to all administrative investigations conducted pursuant to Army Regulation 15-6 approved on or after the effective date.

e. Proponent. The Judge Advocate General is the proponent for this policy and will ensure the provisions of this directive are incorporated into Army Regulation 15-6 within 2 years of the date of this directive. The Deputy Chief of Staff, G-1, will ensure its provisions are incorporated into Army Regulation 135-155 and Army Regulation 600-8-29 within 2 years of the date of this directive.

//NOTHING FOLLOWS//