

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 26 July 2024

DOCKET NUMBER: AR20230013256

APPLICANT REQUESTS: promotion from private first class (PFC)/E-3 to specialist (SPC)/E-4, effective 6 June 2023.

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

- DD Form 149 (Application for Correction of Military Record)
- Memorandum – Subject: Disenrollment from the U.S. Army Reserve Officers' Training Corps (ROTC) Program, 15 May 2023
- Orders Number 5611444, 7 August 2023

FACTS:

1. The applicant states that while he was enrolled in the ROTC program, he participated in the Simultaneous Membership Program (SMP) which entitled him to payment at the rank/grade of sergeant (SGT)/E-5. Prior to being enrolled, he was serving in the ARNG at the rank of PFC. Unfortunately, he was unable to complete the ROTC program and was therefore disenrolled and returned to his Army National Guard (ARNG) unit. Upon his return, he was demoted from SGT to PFC, effective 5 June 2023. While drilling with his assigned unit, he continued to receive pay and entitlements as an E-5. He has been unsuccessful in his attempt to have his unit process his SPC promotion orders but acknowledges that he will have to repay the difference once the matter is resolved. However, he would like the difference owed calculated based upon his rank as a SPC rather than PFC. He contests that he has been eligible for promotion and was not flagged. He notes that he should have been promoted to SPC effective 6 June 2023, the day after he was disenrolled from the ROTC Program. He was advised by his unit that the current commander was unable to promote him because he (the commander) had not been delegated the authority to do so and had not completed the required training.

2. A review of the applicant's service records show:

a. On 22 September 2017, the applicant enlisted in the ARNG for 8 years at the rank PFC.

b. On 21 August 2018, the U.S. Army Installation Management Command issued Orders Number 233-023 announcing the applicant's award of the 35F military occupational specialty.

c. On 31 August 2018, the applicant enrolled in the University of Michigan Army Senior ROTC Program.

d. On or about 28 November 2018, the applicant elected to participate in the SMP.

e. On 13 March 2019, the MIARNG issue Orders Number 072-082 announcing the applicant's promotion to the rank/grade of SGT/E-5, effective 28 November 2018, as an ROTC SMP Cadet.

f. On 5 June 2023, the applicant was disenrolled from the ROTC Program due to his failure to maintain enrollment in Military Science classes. Since the applicant was enrolled in the SMP, he would be released to his unit to fulfill the remainder of his service obligation and required to repay \$6,200.00 in advanced educational assistance provided.

g. On 7 August 2023, the MIARNG issued Orders Number 5611444 announcing the applicant's rank reduction to PFC due to his disenrollment from the ROTC Program, effective 5 June 2023.

h. On 16 November 2023, the MIARNG issued Orders Number 6578352 announcing the applicant's voluntary transfer to the U.S. Army Reserve Control Group (Annual Training), effective 22 September 2023.

3. On 25 June 2024, the National Guard Bureau, Chief, Special Actions Branch, provided an advisory opinion recommending approval of the applicant's request noting that in accordance with Army Regulation (AR) 600-8-19 (Enlisted Promotions and Reductions), the Time in Service (TIS) and Time in Grade (TIG) requirements for immediate promotion to the rank of SPC is 24 months and 6 months, respectively. The applicant had over 5 years TIS and over 1-year TIG at the time of his demotion from SGT to PFC. At the time of his demotion from SGT, he met all eligibility criteria for promotion to SPC. Therefore, it is recommended that his records be corrected to reflect orders promoting him to SPC, effective 6 June 2023, separation orders and NGB Form 23A (ARNG Current Annual Statement) reflecting the rank of SPC, and all monies owed because of the effective date of advancement.

4. On 27 June 2024, the applicant was provided with a copy of the advisory opinion and afforded 15 days to provide comments. The applicant responded in concurrence with the advisory opinion noting that he is currently in the process of repaying the debt

incurred based on the difference between E-5 and E-3 pay. This change in his rank will inadvertently ease the financial burden currently being experienced.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board found that relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition, and executed a comprehensive review based on law, policy, and regulation. Upon review of the applicant's record and advising official's recommendation from the National Guard Bureau, the Board determined at the time of his demotion from sergeant (SGT), he met all eligibility criteria for promotion to specialist (SPC). Based on this, the Board determined relief was warranted and any associated payment due with the correction.

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 Army records of the individual concerned be corrected by amending his record to reflect his date of rank for specialist (SPC)/E-4 as 5 June 2023.

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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.

REFERENCE:

AR 600-8-19 (Enlisted Promotions and Reductions), Chapter 2 (Decentralized Promotions) provides that promotions to PV2, PFC, and SPC will be made automatically or immediately with promotion orders (ARNG) for posting to the automated personnel file and/or the master military pay file. ARNG Soldiers are not required to be MOS qualified for promotion through SPC. To be eligible for promotion to SPC, service members must have:

- 24 months time in service
- 6 months time in grade

//NOTHING FOLLOWS//