

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 1 April 2025

DOCKET NUMBER: AR20240000159

APPLICANT REQUESTS: adjustment of his date of rank (DOR) for Chief Warrant Officer Three (CW3) from 29 September 2023 to 15 March 2023

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

- DD Form 149 (Application for Correction of Military Record)
- Federal Recognition to Chief Warrant Officer Two (CW2)
- CW2 Promotion
- Email regarding promotion to CW3
- Email from the Inspector General (IG) regarding promotion to CW3

FACTS:

1. The applicant states he was eligible for promotion to CW3 on 15 March 2023. His packet was not submitted for the promotion board 120 days prior to his eligibility, despite him completing his required portion in October 2022 due to incorrect calculations of his eligibility date. The date used to determine his eligibility was 20 December 2019. He believes this date was from a set of revoked promotion orders that incorrectly determined his DOR to CW2. This error caused his packet to be held. Once he informed North Carolina Joint Force Headquarters of the mistake, his packet continued to be held because new documentation was needed due to the time that had lapsed. He contacted the North Carolina Army National Guard (NCARNG) IG and they advised him once his promotion was complete, to submit a request to the Board to adjust his DOR due to the errors that occurred, during the process.

2. The applicant provides an email, 15 May 2023, wherein he is seeking clarification regarding his CW3 promotion packet because his eligibility date was 15 March 2023. An email from NCARNG IG, which gives a timeline of his promotion packet from the State Federal Recognition board. The only means of redress was to contact the Army Board for Correction of Military Records to request a correction to his DOR.

3. The applicant's service record shows he took the Oath of Office in the NCARNG on 20 December 2017. He received Federal Recognition for promotion to CW2 on

13 January 2020 with a DOR of 15 March 2019. He received Federal Recognition for promotion to CW3 on 11 October 2023 with a DOR of 29 September 2023.

3. On 27 August 2024, the Chief, Special Actions Branch, National Guard Bureau (NGB), provided an advisory opinion, which states, in pertinent part:

a. NGB recommended partial approval of the applicant's request. He was promoted to CW2 on 15 March 2019. Previously, his orders shows his DOR to CW2 as 20 December 2019, but this set of orders were revoked. He became eligible for promotion to CW3 on 15 March 2023. Although he completed his portion of the promotion packet, his packet was not submitted for the promotion board 120 days prior. His packet was initiated by his unit on 24 January 2023. In February 2023, there was a known issue with Integrated Personnel and Pay System - Army, which caused a slight delay. On 21 March 2023, his packet was put in an administrative hold status because his eligibility date was calculated based on the revoked orders. Once this mistake was corrected, his packet was boarded for the Federal Recognition Board to NGB on 29 June 2023.

b. It is the recommendation of NGB that the applicant's request be partially approved. The NCARNG made a mistake when they used a revoked set of orders to calculate his eligibility date. NCARNG recognizes this mistake and supports backdating his DOR to CW3 to 14 July 2023, which is when other Soldiers were promoted based on the Federal Recognition Board that convened on 15 March 2023. The ARNG Federal Recognition Board and NCARNG concur with the recommendation.

4. On 11 September 2024, the advisory opinion was provided to the applicant to allow him the opportunity to respond. He did not respond.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documentation, the findings outlined in the NGB advisory opinion, and the lack of any rebuttal submitted of those findings by the applicant, the Board concluded there was sufficient evidence of an error warranting adjusting the applicant's DOR for CW3 to reflect 14 July 2023.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for partial relief. As a result, the Board recommends that all Department of Army records of the individual concerned be corrected by amending the applicant's DOR to CW3 to reflect 14 July 2023.

2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to adjusting the DOR to any earlier date.

//SIGNED//

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. National Guard Regulation 600-101 (Warrant Officers Federal Recognition and Related Personnel Actions) prescribes policies and procedures for ARNG warrant officer personnel management.

a. Chapter 7 states that promotion of warrant officers in the ARNG is a function of the State. As in original appointments, a warrant officer promoted by State authority has a State status in the higher grade under which to function. However, to be extended Federal recognition in the higher grade, the officer must satisfy the requirements for promotion and the President of the United States (POTUS), or the Secretary of Defense acting on behalf of the POTUS, must first approve the promotion as a Reserve Warrant Officer of the Army. When the State promotion is Federally recognized, the ARNG Warrant Officer is concurrently promoted as a Reserve Warrant Office of the Army.

b. The minimum military education requirements for promotion to CW3 is the completion of the Warrant Officer Advanced Course.

2. Army Directive 2019-28 (Authority to Adjust Effective Date of Promotion of a Reserve Commissioned Officer in the Even of undue Delay in Federal Recognition of Promotion), 19 September 2019, established policy for identifying and addressing delays in processing ARNG unit vacancy promotion Federal recognition actions. It stated:

a. Effective immediately, an ARNG unit vacancy promotion appointment scroll will be considered delayed for the purposes of this directive when processing exceeds a set limit of days as a result of administrative delay within Headquarters, Department of the Army. To be designated as unduly delay, the scroll package must meet the following conditions.

(1) The processing time within Headquarters, Department of the Army from the day of first receipt at the Directorate of Military Personnel Management (DMPM), Office of the Deputy Chief of Staff, G-1 must exceed 100 days because of a processing delay or administrative error.

(2) The delay is not the result of a promotion review based on adverse information pertaining to an officer whose name appears on the promotion appointment scroll discovered through exemplary conduct screening.

(3) The delay is not attributable in any other manner to the action (or inaction) of an officer whose name appears on the promotion appointment scroll.

b. When a delayed scroll meets the criteria above, the Secretary of the Army will determine the effective date for promotion for ARNG commissioned and warrant officers

on the affected scroll. The date will not be earlier than 100 days from the date the DMPM first receives the scroll package from the National Guard Bureau, or the date of the most recent previously approved Federal recognition list, whichever is later.

c. This policy does not apply to officers whose nominations result from Promotion Review Boards or Promotion Review Panels.

//NOTHING FOLLOWS//