

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 9 July 2025

DOCKET NUMBER: AR20240005289

APPLICANT REQUESTS: correction of his record to show his Federal-recognition Date Of Rank (DOR) for promotion to Chief Warrant Officer Four (CW4) as 2 September 2022.

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

- DD Form 149 (Application for Correction of Military Record)
- Self-authored statement
- National Guard Bureau (NGB) Form 89 (Proceedings of Federal Recognition Examining Board) showing the applicant was found qualified for promotion to CW4
- NGB Memorandum, Subject: Promotion as a Reserve Commissioned Officer of the Army showing the applicant was promoted to CW4 on 2 March 2023
- NGB Special Orders Number 116, 28 March 2023 showing the applicant's effective date and DOR for promotion to CW4 as 2 March 2023
- Minnesota Army National Guard (MNARNG) Orders Number 4345534, 30 March 2023 shows the applicant was promoted to the rank of CW4, effective 2 March 2023
- Army Board for Correction of Military Records (ABCMR) Docket Number AR20210015653 Record of Proceedings

FACTS:

1. The applicant states:

- He applied to the ABCMR requesting his DOR for chief warrant officer three (CW3) be back dated due to undue delay
- He was considered for promotion to CW4 before he received the results of ABCMR Docket Number AR20210015653
- On 20 April 2023, the ABCMR granted him partial relief by back dating his DOR for CW3 to 19 July 2017
- This delayed his consideration for promotion to CW4
- Due to no fault of his own, he requests his DOR for CW4 to be back dated to 2 September 2022

2. A review of the applicant's service record shows:

- With prior enlisted ARNG service, on 26 September 2009, he executed his oath of office and was appointed as a Reserve warrant officer in the MNARNG in the rank of warrant officer one (WO1)
- On 26 September 2009, he was appointed in the MNARNG and extended Federal recognition by Special Orders Number 254, dated 20 October 2009
- DA Form 1059 (Service School Academic Evaluation Report) shows he achieved course standards for the Property Accounting Technician WO Basic Course during the period of 2 August through 30 September 2010
- On 15 February 2012, he was ordered to active duty in an Active Guard/Reserve (AGR) status by Orders Number 046-216, dated 15 February 2012
- On 6 April 2012, he was promoted to the rank of chief warrant officer two and extended Federal recognition by Special Orders Number 116, dated 10 April 2012
- On 15 February 2015, was ordered to active duty in an AGR status by Orders Number 063-062, dated 4 March 2015
- On 8 October 2015, he was ordered to active duty in support of Operation Enduring Freedom by Orders Number 25-253-0012, dated 10 September 2015
- On 7 October 2015, he was honorably released from active duty and subsequently returned to active duty on 8 October 2015
- On 30 August 2016, he was honorably released from active duty and reverted to ARNG control
- On 15 February 2017, a Federal Recognition Board (FRB) recommended him for promotion to the rank of CW3
- DA Form 1059 shows he achieved course standards for the Property Accounting Technician WO Advanced Course during the period of 3 October through 23 November 2016
- On 5 January 2018, he was promoted to the rank of CW3 and extended Federal recognition by Special Orders Number 25, dated 26 January 2018
- DA Form 1059 shows he achieved course standard for the WO Intermediate Level Education during the period of 25 August through 30 September 2021
- On 14 November 2022, an FRB recommended him for promotion to the rank of CW4
- On 2 March 2023, he was promoted to the rank of CW4 and extended Federal recognition by Special Orders Number 116, dated 28 March 2023
- On 20 April 2023, the ABCMR notified him the Board granted him partial relief by back dating his DOR for CW3 to 19 July 2017
- On 1 August 2023, Special Orders Number 25, dated 26 January 2018 was amended to change his effective date and DOR for CW3 to 19 July 2017
- On 1 February 2024, he was ordered to active duty in support of Operation Spartan Shield by Orders Number 25-018-0027, dated 18 January 2024

- On 31 January 2024, he was honorably released from active duty and subsequently returned to active duty on 1 February 2024
- On 13 December 2024, he was ordered to active duty in an AGR status by Orders Number 344-005, dated 9 December 2024
- On 12 December 2024, he was honorably released from active duty and revert to ARNG control

3. On 6 March 2025, in the processing of this case, the NGB, provided an advisory opinion regarding the applicant's request to adjust his DOR for CW4 to 2 September 2022. The advisory official recommended approval of his request. A review of the applicant's claim shows he had had a previous ABCMR claim that was pending adjudication while his records were being reviewed for promotion to the rank of CW4. It appears a delay occurred during the scrolling process during the promotion to CW3 that caused a domino effect delaying all future promotions until the ABCMR could make a recommendation to have his CW3 DOR adjusted. It was concluded his CW4 DOR and effective date should be adjusted due to delays to his previous promotion to CW3, which was eventually corrected. The ABCMR decision to have his DOR for CW3 corrected, came a month after he was promoted to CW4, therefore, nothing could have been done until his DOR and effective date for CW3 was adjusted.

4. On 17 March 2025, the Army Review Boards Agency, Case Management Division, provide the applicant the advisory opinion for review and comment. He did not respond.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, 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 and standard review based on law, policy and regulation. Upon review of the applicant's petition, available military records, and the National Guard Bureau – Special Actions Branch advisory opinion, the Board concurred with the advising official's findings. The Board determined that a delay occurred during the scrolling process associated with the applicant's promotion to CW3, which created a domino effect that delayed all subsequent promotions until the ABCMR could issue a recommendation to adjust his CW3 DOR.

2. The Board concluded that the applicant's CW4 DOR and effective date should likewise be adjusted to account for the delays stemming from his promotion to CW3, which was eventually corrected. The ABCMR's decision to adjust the CW3 DOR was issued approximately one month after the applicant had already been promoted to CW4. Therefore, no corrective action could be taken with respect to the CW4 promotion

until the CW3 DOR and effective date were properly adjusted. In light of these findings, the Board determined that relief is warranted.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
XXX	XXX	XXX	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 and Army National Guard records of the individual concerned be corrected by issuing the applicant a Special Order extending him Federal recognition for promotion to CW4 with an effective date and date of rank as 2 September 2022, with entitlement to back pay and allowances, if applicable, as a result of this correction.

X //SIGNED//

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 Officer Federal Recognition and Related Personnel Actions), Provides eligibility requirements, administrative procedures, application processing, and other related Warrant Officer personnel actions to include Military Occupational Specialty Code (MOSC) re-designation, promotion, civilian education, and federal recognition.

a. Paragraph 3-4 (Categories of personnel actions requiring Federal Recognition Board action):

- Initial appointment
- Re-appointment
- Promotions to CW3, CW4 and CW5
- Appointment of USAR Warrant Officers in a new Military Occupational Specialty (MOS)
- Transfer of ARNG Warrant Officers between States in a new MOS
- Except for rated aviators, change in a Warrant Officer's first four characters of the primary or additional MOS

b. Paragraph 7-1, the 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 which to function in the higher grade. However, to be extended Federal Recognition in the higher grade the officer must satisfy the requirements prescribed herein 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 Officer of the Army.

c. Paragraph 7-3 (Promotion as a Reserve Warrant Officer of the Army), a Warrant Officer who is promoted by the State and extended Federal Recognition in the higher grade will be concurrently promoted to the higher grade in the Reserve of the Army with assignment to the ARNG of the United States.

d. Paragraph 7-7 (Eligibility for Promotion), a. To be considered for Federal Recognition and concurrent Reserve of the Army promotion following a State promotion to fill a unit vacancy, an ARNG Warrant Officer must:

- Be in an active status and DMOS qualified (see subparagraphs d and e below for exceptions)
- Be medically fit and meet the height and weight standards

- Have completed the minimum years of promotion service indicated in table 7-1
- Have completed the minimum military education requirements prescribed in table 7-2
- Have passed an APFT within the timeframe prescribed below.
- Six-months from promotion eligibility date for AGR Soldiers.
- Twelve-months from promotion eligibility date for non-AGR Soldiers.
- Must be recommended by the Warrant Officer's immediate commander

e. Paragraph 7-8 (Minimum Years of Promotion Service), to attain eligibility for promotion and receive Federal Recognition in the higher grade, a Warrant Officer must complete the minimum years of promotion service as shown in table 7-1.

f. Table 7-1 Minimum Time-In-Grade for Promotion

Grade	Years In Lower Grade
WO1 to CW2	2
CW2 to CW3	5, See Note
CW3 to CW4	6, See Note
CW4 to CW5	5

Note: When considered for promotion to CW3 or CW4, Warrant Officers in grade positions coded higher than their current grade may be considered for promotion one (1) year earlier.

g. Table 7-2 Minimum WOES Requirements for Promotion, Time In Current Grade and Course Enrollment

For promotion to:	Military education requirement is:	Time In Current Grade requirement for course enrollment is:
CW2	Warrant Officer Basic Course (WOBC), or equivalent DA MOS Proponent certification within 2-years of date of initial appointment as WO1	NA
CW3	Warrant Officer Advanced Course (WOAC)	2-years minimum TIG as CW2*
CW4	Warrant Officer Intermediate Level Education (WOILE)	3-years minimum TIG as CW3*
CW5	Warrant Officer Senior Service Education(WOSSE)	4-years minimum TIG as CW4*

*States retain the authority to waiver minimum time in grade for enrollment of required WOES.

2. Department of Defense Instructions 1310.01 (Rank and Seniority of Commissioned Officers) states the Secretary of the Military Department concerned may adjust the DOR of an officer, except a general or flag officer, appointed to a higher grade under Title 10, USC, sections 624(a) or 14308(a) (Promotions: how made) if the appointment of that officer to the higher grade is delayed by unusual circumstances. The Secretary of the Military Department concerned must determine that the unusual circumstance caused an unintended delay in processing or approval of the selection board report or promotion list in order for an officer's DOR to be adjusted.

3. Title 10 United States Code (USC), section 14308 (Promotions: how made), (f) (Effective Date of Promotion After Federal Recognition), (1) The effective date of a promotion of a reserve commissioned officer of the Army or the Air Force who is extended Federal recognition in the next higher grade in the Army National Guard or the Air National Guard under section 307 or 310 of title 32 shall be the date on which such Federal recognition in that grade is so extended. (2) If there is a delay in extending Federal recognition in the next higher grade in the Army National Guard or the Air National Guard to a reserve commissioned officer of the Army or the Air Force that exceeds 100 days from the date the National Guard Bureau deems such officer's application for Federal recognition to be completely submitted by the State and ready for review at the National Guard Bureau, and the delay was not attributable to the action or inaction of such officer:

- In the event of State promotion with an effective date before 1 January 2024, the effective date of the promotion concerned under paragraph (1) may be adjusted to a date determined by the Secretary concerned, but not earlier than the effective date of the State promotion; and
- In the event of State promotion with an effective date on or after 1 January 2024, the effective date of the promotion concerned under paragraph (1) shall be adjusted by the Secretary concerned to the later of:
- The date the National Guard Bureau deems such officer's application for Federal recognition to be completely submitted by the State and ready for review at the National Guard Bureau; and
- The date on which the officer occupies a billet in the next higher grade

//NOTHING FOLLOWS//