

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 28 August 2025

DOCKET NUMBER: AR20240008392

APPLICANT REQUESTS: correction of his date of rank (DOR) and effective date for promotion to major (MAJ)/O-4.

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

- DD Form 149 (Application for Correction of Military Record)
- Integrated Personnel and Pay System – Army (IPPS-A) printout
- Georgia Army National Guard (GAARNG) memorandum
- National Guard Bureau (NGB) Special Orders (SO)

FACTS:

1. The applicant states, in effect, he is a member of the GAARNG:

- On 12 October 2021, the GAARNG submitted his promotion packet for MAJ, and he was assigned a scroll number
- On 28 October 2021, a Department of the Army (DA) board selected him for promotion; however, on 26 July 2023, his packet went before a Promotion Review Panel (PRP)/Special Selection Review Board (SSRB), and it was not until 12 April 2024 that NGB Federally recognized the promotion
- Because his promotion packet was originally submitted, on 12 October 2021, and he was selected, on 28 October 2021, he feels his DOR should be October 2021, not April 2024
- In support of his request, he submits documents showing his selection in October 2021 and Federal recognition, effective 12 April 2024

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

- On 6 August 2011, after serving as an enlisted Soldier in the GAARNG and graduating from officer candidate school, the applicant executed his oath of office as a GAARNG commissioned officer
- On 28 October 2021, a GAARNG memorandum announced that the applicant had been selected for promotion to MAJ by the Fiscal Year 2021 DA Reserve Components Promotion Selection Board

- On 1 May 2024, NGB issued SO announcing the Federal recognition of the applicant's promotion to MAJ, effective 12 April 2024
- The applicant continues his service in the GAARNG

3. On 28 July 2025, NGB provided an advisory opinion and recommended partial approval.

- According to GAARNG records, DA selected the applicant for MAJ, on 16 September 2021; on 27 October 2021, he went before a state Federal Recognition board and the board recommended him for promotion
- The applicant was subsequently removed from the promotion scroll due to an unnamed adverse action; a review of the applicant's restricted files shows no record of an investigation, and this indicates the adverse action was ultimately determined to be unfounded
- Upon being removed from the promotion scroll, an SSRB conducted a review of the applicant's promotion packet; this is a lengthy process and requires the Director of Military Personnel Management (DMPM) to review and approve an SSRB's recommendation for promotion
- On 12 April 2024, the DMPM approved the applicant's promotion to MAJ
- Title 10 (Armed Forces), U.S. Code, section 14311 (a) (2) (Delay in Promotion: Involuntary) states:
 - If disciplinary action is not taken against an officer or charges are withdrawn or dismissed, the officer shall be retained on the promotion list
 - Upon promotion to the next higher grade, the officers will have the same date of rank and effective date and same position on the Reserve Active Status List as he/she would have had if no delay had occurred
- Based on the foregoing, NGB recommends partial approval by adjusting his DOR and effective date to 22 March 2022, the date his original scroll was approved and signed
- The applicant's requested date of 12 October 2021 is inaccurate because his DOR and effective date are based on when the promotion scroll was approved and signed by the promotion authority, not on the date his promotion packet was submitted

4. On 28 July 2025, the Army Review Boards Agency provided the applicant a copy of NGB's advisory opinion for his review and the opportunity to submit a rebuttal; he did not respond.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial 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. The Board reviewed and concurred with the National Guard Bureau's advisory finding that the applicant's name was removed from the promotion scroll due to an unnamed adverse action; a review of the applicant's restricted files shows no record of an investigation, and this indicates the adverse action was ultimately determined to be unfounded. Upon being removed from the promotion scroll, an SSRB conducted a review of the applicant's promotion packet; this is a lengthy process and requires the DMPM to review and approve an SSRB's recommendation for promotion. On 12 April 2024, the DMPM approved the applicant's promotion to MAJ. His requested DOR of 12 October 2021 is incorrect because the promotion is based on the date the scroll was approved and not the date the packet was submitted. Therefore, the Board determined the applicant's DOR should be corrected to 22 March 2022, the date his original scroll was approved. Any adjustment to associated back pay and allowances will be deferred to the Defense Finance and Accounting Service.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	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 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 MAJ with an effective date and date of rank as 22 March 2022, with entitlement to back pay and allowances, if applicable, as a result of this correction.
2. The Board further determined that 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 granting the applicant a date of rank sooner than the date annotated above.

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.

REFERENCE:

Title 10 (Armed Forces), U.S. Code, section 14311 ((Reserve Components – Promotion and Retention of Officers on the Reserve Active Status List (RASL) – Promotions – Delay of Promotion: Involuntary)

a. In accordance with regulations prescribed by the Secretary of Defense, the appointment of an officer to a higher grade may be delayed if any of the following applies:

- Sworn charges against the officer have been received by an officer exercising general court-martial jurisdiction and the charges have not been disposed of
- An investigation is being conducted to determine whether disciplinary action should be brought against the officer
- A board of inquiry has been convened to review the record of the officer to ascertain whether the officer should be retained
- A criminal proceeding in a Federal or State court is pending against the officer
- Substantiated adverse information about the officer that is material to the decision to appoint the officer is under review by the Secretary of Defense or Military Secretary concerned

b. If disciplinary action is not taken against the officer; if the charges against the officer are withdrawn or dismissed; if the officer is not separated by the Secretary of the military department concerned as the result of having been required to show cause for retention; if the officer is acquitted of the charges, or if, after a review of substantiated adverse information about the officer regarding the requirement for exemplary conduct, the officer is found to be among the best qualified for promotion, then:

- The officer shall be retained on the promotion list; list of officers found qualified for Federal recognition; or list of officers nominated by the President to the Senate for appointment
- Upon promotion to the next higher grade, the officer shall have the same date of rank, the same effective date for pay and allowances, and the same position on the RASL that he/she would have had if a delay had not occurred

//NOTHING FOLLOWS//