

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 9 May 2025

DOCKET NUMBER: AR20240009016

APPLICANT REQUESTS:

- correction of her DD Form 214 (Certificate of Release or Discharge from Active Duty) for service ending 11 September 2023 and her retirement orders to reflect she was placed on the retired list in the rank/grade of sergeant first class (SFC)/E-7 due to her disability retirement
- a personal appearance before the board via video or telephonically

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

- DD Form 149 (Application for Correction of Military Record)
- Excerpt from the Fiscal Year 2023 (FY23) Active Guard/Reserve (AGR) Staff Sergeant (SSG) Evaluation Board Fully Qualified (FQ) List shows the applicant was evaluated as FQ for promotion to the rank of SFC or retention in the service by the evaluation board
- Physical Disability Information Report (PDIR) dated 13 June 2023 shows the applicant's current grade as SSG/E-6 and her retired grade was blank
- PDIR dated 15 June 2023 shows the applicant's current grade as SSG/E-6 and her retire grade as E-7 and Title 10 United States Code (USC), section 1372 (Grade on retirement for physical disability: members of armed forces) authorized her retirement
- E-mail from the Physical Evaluation Board Liaison Officer (PEBLO) dated 14 August 2023 informing the applicant that an e-mail was sent to inquire why she was not retired in the rank/grade of SFC/E-7

FACTS:

1. The applicant states:

- She attempted to correct the error prior to her release from active duty through her PEBLO
- The second time she submitted a request for the correction of her records she was informed there was nothing that could be done to make the correction as she was no longer in the Army systems

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

- On 2 July 2008, she enlisted in the Army National Guard (ARNG)
- On 3 September 2008, she was ordered to initial active duty for training
- On 30 January 2009, she was released from active duty
- On 27 April 2011, she was discharged from ARNG to enlist in the active component
- On 28 April 2011, she enlisted in the Regular Army in the rank/grade of specialist/E-4
- On 22 January 2014, she requested Reserve component assignment orders in a U.S. Army Reserve (USAR) Troop Program Unit (TPU)
- On 11 May 2014, she was honorably released from active duty and assigned to a USAR TPU
- On 11 August 2016, she reenlisted in the USAR
- On 17 December 2018, she was ordered to active duty in an AGR status
- On 15 November 2019, she reenlisted in the USAR TPU
- On 26 April 2023, the informal Physical Evaluation Board (PEB) Proceedings shows:
 - The board found her to be physically unfit for retention
 - Recommended she be placed on the Permanent Disability Retired List (PDRL) with a 70 percent disability rating
 - She concurred with the findings of the PEB and waived a formal hearing
- On 8 June 2023, the informal PEB proceedings shows:
 - The board found her to be physically unfit for retention
 - Recommended she be placed on the PDRL with 80 percent disability rating
- On 11 September 2023, she was retired from active duty because of a physical disability incurred while entitled to basic pay and she was placed on the PDRL on 12 September 2023 in the rank of SSG by:
 - Orders Number 205-0003 dated 24 July 2023
 - Authority of Title 10 USC, sections 1201 and 1372
- On 11 September 2023, she was honorably retired from active duty, DD Form 214 shows in:
 - Item 4a (Grade, Rate or Rank): SSG
 - Item 4b (Pay Grade): E-6
 - Items 12i (Effective Date of Pay Grade): 1 July 2019

- Item 18 (Remarks): is void of a rank entry for placement on the retired list
 - On 10 September 2023, she was promoted to the rank/grade of SFC/E-7 due to being retired for physical disability by Orders Number 22648392 dated 24 April 2025
 - Soldier Management Services - WEB Portal shows her rank as SFC and her date of rank as 10 September 2023
3. On 24 April 2025, in the processing of this case, the U. S. Army Human Resources Command provided an advisory opinion regarding the applicant's request to be promoted to the rank of SFC. The advisory official stated a review of the applicant's service record has determined administrative relief was warranted. The applicant was undergoing a regular separation from active duty; however, she was placed on the PDRL instead. The applicant, unit, nor transition center contacted their office. Therefore, she is promoted with a date of rank of 10 September 2023. The promotion order is attached.
4. On 24 April 2025, the Army Review Boards Agency, Case Management Division, provided the applicant the advisory opinion for review and comment. The applicant has not responded.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documentation, specifically, the promotion orders from HRC, the Board concluded there was sufficient evidence of an error warranting correction of the applicant's DD Form 214 for period ending 11 September 2023, along with her retirement orders to reflect she was placed on the retired list in the rank/grade of sergeant first class (SFC)/E-7 due to her disability retirement

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:XXX	:XXX	:XXX	GRANT FULL RELIEF
:	:	:	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 relief. As a result, the Board recommends that all Department of Army records of the individual concerned be corrected by amending the applicant's:

- DD Form 214 for the period ending 11 September 2023, to show:
 - (Block 4a): SFC
 - (Block 4b): E07
- Retirement Order (Orders 205-0003), dated 24 July 2023, to show Retired grade/Date of rank: SFC/10 September 2023

2. Prior to closing the case, the Board noted the administrative notes below from the analyst of record and recommended that change also be completed to more accurately reflect the military service of the applicant.

//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.

ADMINISTRATIVE NOTE(S):

1. Reference the enclosed request for correction of military records from the subject individual to correct her DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending January 30, 2009, by amending Item 24 (Character of Service): to reflect Honorable.
2. A review of the records listed below (enclosed) is sufficient to substantiate correction of the DD Form 214 without action by the Board.
 - DD Form 214 service ending January 30, 2009
 - Army Regulation 635-8 (Separation Processing and Documents)
3. Please correct the applicant's DD Form 214 by amending the information shown in paragraph 1 above. Provide the applicant a copy of the corrections and ensure that the corrections are recorded in the applicant's official military personnel record.

REFERENCES:

1. Army Regulation 600-8-19 (Enlisted Promotions and Reductions) in effect at the time, prescribes the enlisted promotions and reductions function of the military personnel system. Paragraph 1-21 (Promotion of Soldiers in the Disability Evaluation System), Soldiers in the DES process who are pending a medical fitness determination (referral to a medical evaluation board remain otherwise eligible for promotion consideration, selection, and pin-on. The issuance of a permanent profile of "3" or "4" alone will not be used as the sole basis for determining PMOS disqualification. No Soldier who is in the DES process will lose his or her promotable status solely because a promotion list expires prior to a vacancy for promotion becoming available. Per the provisions of Title 10 USC section, 1372, Soldiers on a promotion list who are retired for physical disability or who are placed on the temporary disability retired list (TDRL) at the time of retirement for disability will be retired for disability at the promotion list grade. The Soldier will be promoted effective the day before placement on the retired list or TDRL regardless of cutoff scores, sequence numbers, or position availability. In all cases, the Soldier must otherwise be eligible for promotion (the NCOPDS requirements in paragraph 1–29 are waived).
2. Title 10 United States Code (USC), section 1372 (Grade on retirement for physical disability: members of armed forces), unless entitled to a higher retired grade under some other provision of law, any member of an armed force who is retired for physical disability under section Title 10 USC section, 1201 or 1204, or whose name is placed on the TDRL under Title 10 USC section, 1202 or 1205, is entitled to the grade equivalent to the highest of the following:

a. The grade or rank in which he is serving on the date when his name is placed on the temporary disability retired list or, if his name was not carried on that list, on the date when he is retired.

b. The highest temporary grade or rank in which he served satisfactorily, as determined by the Secretary of the armed force from which he is retired.

c. The permanent regular or reserve grade to which he would have been promoted had it not been for the physical disability for which he is retired and which was found to exist as a result of a physical examination.

d. The temporary grade to which he would have been promoted had it not been for the physical disability for which he is retired, if eligibility for that promotion was required to be based on cumulative years of service or years of service in grade and the disability was discovered as a result of a physical examination.

3. Army Regulation (AR) 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR may, in its discretion, hold a hearing or request additional evidence or opinions. Additionally, it states in paragraph 2-11 that 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.

//NOTHING FOLLOWS//