

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 13 August 2025

DOCKET NUMBER: AR20240009616

APPLICANT REQUESTS: change his discharge to an Active Federal Service (AFS) retirement.

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

- DD Form 149 (Application for Correction of Military Record)
- Self-authored statement
- DA Form 4187 (Personnel Action) shows on 1 May 2023, the applicant requested voluntary retirement effective 1 July 2023, which was not approved or disapproved through his chain of command
- DD Form 214 (Certificate of Release or Discharge from Active Duty)

FACTS:

1. The applicant states:

- He was separated from active duty under the Qualitative Management Program (QMP)
- He was honorably discharged after serving 21-years of AFS
- He requested a voluntary retirement; however, it was never routed through his chain of command to the U.S. Army Human Resources Command for approval

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

- His service record is void of his initial DD Form 4 (Enlistment/Reenlistment Document – Armed Forces of the United States); however, his DD Form 214 shows he enlisted in the Regular Army on 21 June 2002
- He had continuous service through reenlistments
- On 22 December 2010, he received a General Officer Memorandum of Reprimand (GOMOR) for driving a motor vehicle with a blood alcohol content of .08 or higher
- On 17 March 2022, he received a GOMOR for having a blood alcohol content while on duty of .352 which was confirmed by a blood draw at the emergency room

- DA Form 2166-9-2 (Noncommissioned Officer (NCO) Report) for the rating period of 1 June 2021 through 31 May 2022 shows his:
 - Rater rated his character as did not meet standard and commented he displayed behavior unbecoming of the Army values, missed movement for deployment in support of a training exercise
 - Rater rated his overall performance as met standard
 - Senior rater rated his overall potential as qualified and commented he was a capable NCO able to perform at higher levels
- On 1 July 2023, he was honorably discharged from active duty for completion of required active service, DD Form 214 shows in:
 - Item 12c (Net Active Service This Period):21-years and 11-days
 - Item 18 (Remarks):
 - Served in Iraq during the period of 7 January 2003 through 14 July 2003
 - Served in Iraq during the period of 17 January 2005 through 4 January 2006
 - Served in Iraq during the period of 15 October 2009 through 1 August 2010
 - Served in Afghanistan during the period of 8 March 2013 through 15 November 2013
- His service record is void of evidence of the QMP notification/process

BOARD DISCUSSION:


After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not 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 applicants petition and available military records the Board determined the applicant's records are void of his approved retirement request and/or notification of separation under the QMP. The Board agreed the burden of proof rest with the applicant; however, he did not provide any supporting documentation, and his service record has insufficient evidence to support his request. Based on this, the Board denied his request for relief.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
XXX	XXX	XXX	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.



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:

Army Regulation 635-200 (Active Duty Enlisted Administrative Separations) implements laws and policies governing voluntary retirement of Soldiers for length of service, and criteria governing uncharacterized separations and the issuance of honorable, general, and under other than honorable conditions discharges within the Department of the Army (DA).

a. Chapter 12 (Twenty-year retirement law), a Soldier who has completed 20 but less than 30 years of active federal service in the U.S. Armed Forces may be retired at his or her request (see paragraph 12–14f). The Soldier must have completed all required service obligations at the time of retirement. Soldiers who have completed 20 but less than 30 years of active federal service and who have completed all required service obligations are eligible, but not entitled, to retire upon request. Except as indicated in chapter 16 of this regulation, unless restricted in this section, Soldiers who have completed 19 or more years of active federal service may apply for retirement. The request must be made within 12 months of the requested retirement date except as indicated in chapter 16. Soldiers must complete at least 20 years of active federal service and all service obligations by the requested retirement date. Soldiers who are under suspension of favorable personnel action are not precluded from submitting DA Form 2339. Requests for retirement will be considered on a case-by-case basis by the local retirement approval authority.

b. Paragraph 16-11 (Enlisted Qualitative Management Program), this paragraph contains policies and procedures for voluntary and involuntary separation, for the convenience of the Government, of RA and USAR (AGR) NCOs (SSG and above), under the QMP.

(1) QMP selection criteria include, but are not limited to:

- Moral or ethical conduct incompatible with the values of the NCO corps and the Army ethic
- Lack of potential to perform NCO duties in current grade
- Decline in efficiency and performance over a continuing period, as indicated by an NCO evaluation report or failure of NCOES courses
- Recent or continuing disciplinary problems, as evidenced by conviction by court-martial, nonjudicial punishment, or administrative reprimand
- Other discriminators such as imposition of a field commander's bar to reenlistment, inability to meet physical fitness standards, and failure to comply with requirements of the Army Body Composition Program (ABCP)

(2) The QMP is designed to:

- Enhance the quality of the career enlisted force
- Selectively retain the best-qualified Soldiers
- Deny continued active service to nonproductive NCOs on qualitative grounds
- Encourage NCOs to consistently maintain high standards of performance, efficiency, morality, and professionalism

c. All NCOs (SSG and above) whose performance, conduct, and/or potential for advancement do not meet Army standards, as determined under the QMP process by approved recommendations of an HQDA NCO evaluation board, will be denied continued active service. An NCO who is subsequently reduced below the rank of SSG remains eligible for denial of continued active service under this program when the basis for referral occurs as a SSG or higher rank. NCOs in the rank of SSG through CSM/SGM from the RA or USAR AGR will be subject to the QMP process when one or more of the criteria in paragraph 16–11c(1) or 16–11c(2) are met. NCOs previously considered and determined fully qualified after consideration based on the official filing of a qualifying document in the AMHRR will not be considered again for the same document unless it represents part of an overall pattern when a different and subsequent qualifying document is officially filed when in the same grade. The QMP is not intended as a substitute, and does not relieve commanders of their command responsibility, for initiation of separation proceedings under other provisions of this regulation, when required or appropriate. NCOs approved for denial of continued active service by the QMP process will be involuntarily discharged without entitlement to a local separation board for the convenience of the Government effective the first day of the seventh calendar month following the date the board results are approved. A determination of denial of continued active service stemming from the QMP process is final. There are no appeal provisions because every NCO will be afforded complete due process prior to the NCO evaluation board convene date and consideration for continued active service. Soldiers may submit voluntary retirement in lieu of being further processed for QMP consideration.

d. NCOs approved for denial of continued active service by the QMP process may:

(1) Request earlier voluntary discharge. Such discharge is considered involuntary and will occur no earlier than 90 days after the NCO receives notification from HRC that the NCO was identified for separation under the QMP process (see 10 USC 1142). NCOs who elect voluntary discharge rather than retirement will have their DD Form 214 coded with SPD code "KGH" and reenlistment eligibility code "RE – 3".

(2) Request voluntary REFRAD. Both RA and USAR AGR NCOs with 20 years or more of qualifying service for nonregular retired pay may elect voluntary REFRAD with concurrent transfer to the Retired Reserves. RA NCOs who elect discharge will receive SPD Code "JGH". USAR AGR NCOs who elect a voluntary REFRAD with

concurrent transfer to the Retired Reserves will receive SPD Code "MGH". Both will receive reenlistment eligibility code "RE – 3".

(3) Request voluntary retirement under chapter 12 or under any other provision of law for which the NCO is otherwise eligible in lieu of involuntary separation as a result of QMP. Voluntary retirement will be approved for the date requested by the NCO but will not be later than the first day of the seventh calendar month following the date the board results are approved.

//NOTHING FOLLOWS//