

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 19 August 2025

DOCKET NUMBER: AR20240010147

APPLICANT REQUESTS:

- In effect, an exception to Army Regulation (AR) 600-37 (Unfavorable Information) policy, allowing the transfer of a general officer memorandum of reprimand (GOMOR) to her restricted folder to serve as the sole basis for promotion reconsideration by a special selection board (SSB)
- Referral to an SSB for promotion to captain (CPT)/O-3

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

- DD Form 149 (Application for Correction of Military Record)
- Email Correspondence
- Memorandum with six enclosures

FACTS:

1. The applicant states, in effect:

- In April 2020, the Director, Officer Personnel Management Directorate (OMPD), U.S. Army Human Resources Command (HRC), issued her a GOMOR; at the time, the applicant was a U.S. Army Reserve (USAR) first lieutenant (1LT) serving on Active Duty for Operational Support (ADOS) orders
- On 18 May 2023, the Department of the Army Suitability Evaluation Board (DASEB) announced the GOMOR's transfer to the restricted portion of her official military personnel file (OMPF); however, the transfer was not retroactive and could not serve as the basis for promotion reconsideration
- In April 2024, she asked HRC to convene an SSB so that she could be reconsidered for promotion to CPT/O-3
- In response, HRC recommended she apply to the Army Board for Correction of Military Records (ABCMR) and ask that the DASEB's language pertaining to promotion reconsideration be removed and that the Board refer her to an SSB
- In support of her requests, the applicant provides documents associated with the GOMOR and subsequent actions taken by the DASEB; she additionally submits

copies of her officer evaluation reports (OER), college transcripts, and letters of support, all of which were previously considered by the DASEB

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

- On 13 May 2016, after graduating from a university and completing Reserve Officers Training Corps requirements, the applicant executed her oath of office as a USAR commissioned officer in the Medical Service Corps
- Effective 20 November 2017, the Army promoted her to 1LT
- On 23 May 2019, HRC ordered her into an ADOS status; the orders assigned her for duty with HRC
- On 13 January 2020, the Director, OPMD appointed an investigating officer (IO), per AR 15-6 (Procedures for Administrative Investigations and Boards of Officers); the IO was to look into allegations that the applicant had submitted a fraudulent DD Form 689 (Individual Sick Slip) to her leadership
- On 4 February 2020, the IO reported the following findings and recommendations:
  - On Friday, 22 November 2019, the applicant's primary care provider treated the applicant and authorized the applicant 72 hours quarters; the applicant then deliberately gave her leadership a sick slip that showed 7-days' quarters
  - The IO recommended the command take disciplinary/administrative action against her
- On 22 April 2020, Brigadier General (BG) T\_\_ J. E\_\_, Director, OPMD, issued the applicant a GOMOR for falsifying a DD Form 689; additionally, he cited her for lying to HRC personnel on multiple occasions
- On 28 April 2020, the applicant filed her rebuttal:
  - The applicant apologized for her actions and acknowledged she had exercised poor judgment; she asked that the GOMOR be placed in her local personnel file
  - She maintained her actions were not indicative of her character, and she pointed to her nearly 4 years of honorable USAR service; further, she stated she had taken steps to ensure she would not make the same mistakes in the future
- On 13 May 2020, BG T\_\_ J. E\_\_ directed the GOMOR's placement in the applicant's Army Military Human Resource Record (AMHRR)
- On 9 June 2020, the Commanding General (CG), HRC informed the applicant, via memorandum, that she was required to show cause for retention on active duty, under AR 600-8-24 (Officer Transfers and Discharges); the basis was misconduct, moral or professional dereliction, and derogatory information

- On or about 10 June 2020, the applicant received a referred OER (DA Form 67-10-1 (Company Grade Plate (O1-O3;WO1-CW2) OER); the rating period was 20190411 through 20200610 and the rated duty position was Training Officer
- On 7 July 2020, the applicant acknowledged the CG, HRC's involuntary release memorandum, and she submitted a rebuttal
- On 25 September 2020, the CG, HRC terminated the elimination action against the applicant and stated, "there is not sufficient time to process this action prior to the expiration (of) your ADOS orders..."
  - The CG pointed out that, although this action had ended, a gaining USAR command could still initiate separation action
  - Additionally, any upcoming selection boards would be able to see the information in the applicant's OMPF, and those boards had the discretion to initiate "Show Cause" actions in the future
- On or about 1 October 2020, orders reassigned the applicant from HRC to a Troop Program Unit (TPU)
- On 16 June 2021, the applicant executed her oath of office as a USAR commissioned officer in the Adjutant General (AG) Corps
- On 28 June 2021, she petitioned the DASEB to transfer her GOMOR to her restricted file; on 12 October 2021, the DASEB voted to deny relief
- On 30 September 2022, the Army honorably released the applicant from active duty, based upon the completion of required active service; her DD Form 214 (Certificate of Release or Discharge from Active Duty) shows she completed 3 years, 3 months, and 28 days of net active duty service
- On 4 April 2023, the applicant filed her second appeal to the DASEB; on 9 May 2023, the DASEB granted the applicant's request; on 18 May 2023, the DASEB directed HRC to transfer the GOMOR to the applicant's restricted AMHRR folder
- The DASEB memorandum further stated that, "This action is not retroactive and does not constitute a basis for promotion reconsideration"
- On 25 October 2023, the CG, U.S. Army Reserve Command signed a decision memorandum announcing the approval of a board of officers' recommendation to retain the applicant in the USAR
- On 31 October 2023, a USAR Readiness Division memorandum advised the applicant that, for a second time, a promotion selection board had not recommended her for promotion to CPT; as a result, she was to be involuntarily separated
- Effective 13 May 2024, the Army involuntarily discharged the applicant from the USAR; the applicant's DA Form 5016 (Retirement Accounting Statement) shows she accrued 8 years of qualifying service for nonregular retirement
- On 21 April 2025, an HRC memorandum informed the applicant that a DA USAR Reappointment Selection Board had recommended her reappointment as an AG

1LT in the USAR, contingent on meeting all appointment qualification criteria; at present, her appointment is still pending

BOARD DISCUSSION:

After reviewing the application and all supporting documents, 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 review based on law, policy, and regulation.

a. Exception to Policy to Transfer GOMOR to Restricted Folder. Deny. Upon review of the applicant's petition and military records, the Board determined there was no error or injustice in the General Officer Memorandum of Reprimand (GOMOR) the applicant was administered on 22 April 2020 and filed in the applicant's performance folder of her Army Military Human Resource Record (AMHRR). Although the Board noted that she took responsibility for her actions, the applicant failed to uphold the high standards of an officer by lying and falsifying documents, which is inexcusable. Therefore, the Board concluded, based on a preponderance of evidence found in the military record, the applicant's request for the GOMOR to be placed in her restricted folder is not warranted and denied relief.

b. Referral to an SSB for promotion to CPT/O3. Deny. As it relates to the applicant's request for a special selection board (SSB) to CPT/O3, upon review of the applicant's petition and military records, the Board determined there was insufficient evidence to warrant a special promotion board to CPT/O3 based on the applicant's misconduct and therefore, denied relief.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
XX	XX	XX	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.

**REFERENCES:**

1. Army Regulation (AR) 135-155 (Army National Guard and Reserve Promotion of Commissioned Officers and Warrant Officers), currently in effect, prescribes policies and procedures for the promotion of Reserve Component commissioned and warrant officers.

a. Paragraph 2-6 (Information Provided to Boards).

(1) The Secretary of the Army will provide guidance and instructions in a memorandum of instruction (MOI) to promotion selection boards (PSB).

(2) In addition to the MOI, PSBs are also given access to the restricted folder in the Soldier's official military personnel file (OMPF) when directed in the MOI or when requested by the board and approved by proper authority. Also available is any adverse information approved for inclusion in the performance folder of the OMPF.

b. Chapter 6 (Special Selection Board (SSB)).

(1) SSBs may be convened under Title 10 (Armed Forces), U.S. Code, section 14502 (SSBs: Correction of Errors) to consider or reconsider commissioned or warrant officers for promotion when HQDA determines that one or more of the following circumstances exist: administrative error or material unfairness.

(2) An SSB will consider the record of the officer as it should have been considered by the original board. The record will be compared with a sampling of those officers of the same competitive category, who were recommended and not recommended for promotion by the original selection board.

(3) Officers selected for promotion by an SSB will, as soon as practicable, be appointed to that grade. When appointed to the next higher grade as the result of the recommendation of an SSB, the officer will have the same date of grade, the same effective date for the pay and allowances of that grade, and the same position on the ADL as the officer would have had if he or she had been recommended for promotion to that grade by the board which should have considered, or which did initially consider, him or her.

2. AR 600-37 (Unfavorable Information), currently in effect, implements policies and procedures for unfavorable information included in OMPFs.

a. Chapter 6 (Organization and Procedures for the Department of the Army Suitability Evaluation Board (DASEB)) states:

(1) Paragraph 6-1 (Board Membership and Voting Procedures). The DASEB is a standing, continuous board within the Army Review Boards Agency (ARBA) and typically consists of officers in the grade of colonel; however, voting members on any case will be senior in grade to the recipient.

(2) Paragraph 6-2 (DASEB Filing Determinations). The DASEB makes determinations, upon appeal, on requests to transfer unfavorable information from the performance to the restricted portion of a Soldier's OMPF.

b. Chapter 7 (Appeals), paragraph 7-2 (Policies and Standards), states the transfer of an unfavorable document to the restricted portion of the OMPF will not normally serve as the sole basis for promotion reconsideration by an SSB, unless approved as an exception to policy.

//NOTHING FOLLOWS//