

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 2 September 2025

DOCKET NUMBER: AR20240010711

APPLICANT REQUESTS:

- Correction of his date of rank (DOR) and effective date of promotion to captain (CPT)/O-3 to show 31 March 2023 vice 31 March 2024
- Based on the correction, payment of all due pay and allowances

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

- Two DD Forms 149 (Application for Correction of Military Record)
- Unit Vacancy Promotion Checklist
- Maryland Army National Guard (MDARNG) memorandum
- Two Personnel Data Sheets
- MDARNG Memorandum for Record (MFR)
- DA Form 1059 (Service School Academic Evaluation Report)
- Two DA Forms 67-10-1 (Company Grade Plate (O1-O3; WO1-CW2) Officer Evaluation Report)
- Personnel Qualification Record
- Officer Record Brief (ORB)
- University Transcripts
- National Guard Bureau (NGB) memorandum

FACTS:

1. The applicant states:

- His promotion to CPT came through on 31 March 2024 after a full years' delay
- In February 2023, the MDARNG mistakenly asked the NGB to Federally recognize the applicant's promotion to first lieutenant (1LT) instead of to CPT; at the time, the applicant was deployed with Special Operations in Iraq
- He reached out to NGB and they have acknowledged the mix up, but they said they needed the Board to backdate his DOR to 31 March 2023

- He notes that the NGB has a policy that states if the Federal recognition process takes longer than 100 days, the affected officer's DOR should be backdated and he/she should be given backpay
- In support of his request, he provides documents from his service record

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

- On 24 January 2019, after serving as an enlisted Soldier in the Illinois ARNG (ILARNG) and graduating from officer candidate school, the applicant executed his oath of office as a commissioned officer in the ILARNG
- Effective 7 October 2020, NGB Federally recognized the applicant's promotion to 1LT
- On 23 August 2021, the applicant completed an interstate transfer to the MDARNG
- On 13 July 2022, the applicant entered active duty in support of Operation Inherent Resolve; on 24 May 2023, he deployed to Southwest Asia
- Effective 31 March 2024, NGB Federally recognized the applicant's promotion to CPT
- On 11 February 2024, he redeployed to Fort Bragg, NC and, on 21 May 2024, the Army released him from active duty and returned him to the MDARNG; he is currently serving as a member of the MDARNG

3. On 24 January 2025, the NGB provided an advisory opinion and recommended approval of the applicant's request.

- The applicant's promotion to CPT was mistakenly delayed due to administrative error not caused by the applicant
- The NGB recommends changing the applicant's DOR and effective date to 31 March 2023, based on the date scroll PL 0723 was published (this is the scroll that would have promoted the applicant had his packet been received with no errors)

4. On 9 May 2025, the Army Review Boards Agency sent the applicant a copy of NGB's advisory opinion to give him the opportunity to submit a response; on 2 June 2025, the applicant wrote:

- He acknowledges he had asked the Board to backdate his DOR and effective date to 31 March 2023
- He adds that he would like a "full correction," i.e., not only backdating of his rank but also providing backpay

BOARD DISCUSSION:

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 review based on law, policy, and regulation. The Board reviewed and concurred with the NGB's advisory finding that the applicant's promotion was delayed due to an administrative error and at not fault of the applicant. Therefore, due to the delay, the Board recommends that the applicant's date of rank and effective date of promotion be adjusted to 31 March 2023.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
XXX	XXX	XX	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 amending Special Orders Number 145 extending the applicant Federal recognition for promotion to CPT with an effective date and date of rank of 31 March 2023, 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 600-100 (Commissioned Officers Federal Recognition and Related Personnel Actions), currently in effect, prescribes policies and procedures for Federal recognition. Chapter 8 (Promotion for Other than General Officers) includes guidance on Unit Vacancy Promotions (UVP).

a. Paragraph 8-1 (Responsibilities). The promotion of officers in the ARNG is a function of the State. As in original appointments, a commissioned officer promoted by State authorities has a state status in the higher grade under which to function. However, to be extended federal recognition in the higher grade, the officer must have satisfied the requirements prescribed herein.

(1) ARNG officers may be considered and found qualified for Federal recognition of their state promotion using two distinct processes: State Federal recognition Boards and DA Mandatory Boards.

(a) State Federal Recognition Board (FRB). Officers may be federally recognized through State FRB, which are often referred to as "State vacancy promotion boards" or "unit vacancy boards" as part of the Unit Vacancy Promotion (UVP) process.

(b) DA Mandatory Boards. The second way to federally recognize the State promotion is through the DA Mandatory Promotion Selection Boards process. Mandatory promotion selection boards are convened by the Secretary of the Army.

(2) Under either process, the precedent for an actual promotion in the ARNG is State assignment and appointment to the next higher grade. Selection for promotion does not automatically constitute an approved promotion action. Those that are eligible for promotion must be recommended by commanders and approved by the State's The Adjutant General (TAG).

b. Section II (Promotion to Fill Unit Vacancies), paragraph 8-7 (Eligibility for Promotion). To be considered for federal recognition following State promotion to fill a unit vacancy, an ARNG commissioned officer must:

- Be in an active status; for a minimum of one consecutive year immediately preceding promotion consideration
- Be medically fit
- Have completed the minimum years of time-in-grade (TIG)
- Have completed minimum military and civilian education requirements
- Have passed a physical fitness test

2. Army Regulation 15-185 (Army Board for Correction of Military Records (ABCMR)), currently in effect, states:

a. Paragraph 3-1 (Authority). The Army, by law, may pay claims for amounts due to applicants as a result of correction of military records.

b. Paragraph 3-2 (Settlement of Claims).

(1) The ABCMR will furnish the Defense Finance and Accounting Service (DFAS) copies of decisions potentially affecting monetary entitlement or benefits. The DFAS will treat such decisions as claims for payment by or on behalf of the applicant.

(2) The DFAS will settle claims on the basis of the corrected military record. The applicant's acceptance of a settlement fully satisfies the claim concerned.

//NOTHING FOLLOWS//