

National Guard Promotion Accountability Act

Soldiers and airmen in the National Guard are unique because their promotion or appointment to a higher rank must be recognized by both the state and the federal government. To achieve federal recognition, the state must submit an officer's name to the National Guard Bureau, where it is placed on a scroll with other officers awaiting promotion. Each scroll undergoes multiple levels of review by both NGB and the appropriate military service before being forwarded to the Secretary of Defense for approval or to the Senate for confirmation.

While thorough review is important and worthwhile, the scrolling process has become redundant and overly bureaucratic. Current policy is to publish scrolls within no more than 195 days of receipt. But when the National Guard Association of the United States (NGAUS) conducted an informal survey of its membership, it found that nearly half of respondents reported that the time elapsed between when their state promotion order was published and the date of federal recognition was greater than 195 days, with many waiting over a year to receive recognition.

The Guard is unique in that it conducts "unit vacancy promotions," in which an officer is promoted into a specific open position at a higher rank. As a result, delays in federal recognition can have particularly negative consequences. Guard officers acting in a more senior role while waiting for their promotion to be federally recognized do not receive commensurate pay and benefits. Delays impact time in grade, or can result in officers being evaluated in lesser positions than they are qualified to perform. And it means Guard officers may be passed up for additional responsibility, such as command, when working hand-in-hand with their active duty counterparts on a federal mission.

The National Guard Promotion Accountability Act would ...

- **Backdate date of rank.** Current law stipulates that an officer's date of rank is the date at which his or her promotion or appointment is recognized by the federal government. Section 2 of the bill would amend 10 USC § 14308(f) to allow a Guard officer's date of rank to be back-dated, after federal recognition is granted, to the date at which his or her promotion was published by the state. Unlike the active duty force, Guard unit vacancy promotions require officers to perform the duties of the higher rank from the time of state promotion. This allows Guard officers to claim that time in grade at the higher rank, improving future promotion opportunities, and making them eligible for back-pay.
- **Impose notification requirements for delayed scrolls.** Section 3 of the bill requires the Secretaries of the Army and Air Force to report to Congress when a promotion or appointment scroll exceeds 200 days between the time it is received by the service and its date of publication. The report is required to specify: the date that the scroll was received; its length of time in processing at each stage of the scrolling process; its current status; and an explanation for its delay. Similar reporting requirements already exist for active duty scrolls, but there is no current requirement to report on delayed Guard scrolls.
- **Requires a report on improvements to the scrolling process.** Section 4 of the bill requires the Secretaries of the Army and Air Force to review their scrolling process, and report to Congress within 180 days to provide timeliness data and make recommendations for how to improve the existing process, including considering automation, additional delegated authorities, or streamlining of existing steps.