

cy2

Replacement

5/5 15 SEPT 79

\*AR 600-31

ARMY REGULATION  
No. 600-31

HEADQUARTERS  
DEPARTMENT OF THE ARMY  
WASHINGTON, DC, 21 February 1974

PERSONNEL—GENERAL

SUSPENSION OF FAVORABLE PERSONNEL ACTIONS FOR MILITARY PERSONNEL IN NATIONAL SECURITY CASES AND OTHER INVESTIGATIONS OR PROCEEDINGS

Effective 1 April 1974

This is a complete revision of AR 600-31. Major changes are summarized as follows: Makes suspension of favorable personnel actions permissive for personnel in grade E-5 and below in, other than National Security cases; revises distribution and number of copies of DA Form 268; and requires suspension of favorable personnel action for enlisted personnel in grade E-6 through E-9, and all officers and warrant officers. Local supplementation of this regulation is authorized but is not required. If supplements are issued, Army Staff agencies and major Army commands will furnish one copy of each to HQDA (DAPC-PAP) 200 Stovall St., Alexandria, VA 22332; other commands will furnish one copy of each to the next higher headquarters.

	Paragraph
Purpose.....	1
Scope.....	2
Suspension of Favorable Personnel Actions.....	3
Responsibilities of Commanders.....	4
Disposition of Personnel.....	5
Removal of Suspension of Favorable Personnel Action.....	6
Reports.....	7
Responsibilities.....	8
Classification.....	9

**1. Purpose.** This regulation prescribes the procedures to prevent a favorable personnel action from being initiated, consummated, or executed when such action would not serve the best interests of the US Army. Such actions include, but are not limited to, the following:

- a. Appointment, reappointment, enlistment, and reenlistment.
- b. Entry on active duty, active duty for training for any purpose, including recall of retired or reserve component personnel, unless otherwise directed by MILPERCEN.
- c. Reassignment except as authorized herein.
- d. Promotion.
- e. Awards, decorations, or commendations.
- f. Attendance at service schools, civilian schools, or institutions under military service educational or training programs.
- g. Unqualified resignation or discharge except as provided by paragraph 3b (3).

h. Release from active duty, except those cases pending appellate review as provided by section XIX, chapter 3, AR 635-100, and paragraph 3b (3).

i. Retirement, except as provided by paragraph 3b (3).

j. Request for excess leave, except as provided by paragraph 3b (2).

**2. Scope.** a. This regulation applies to military members of the Army regardless of service component (including active and inactive) as follows:

- (1) All commissioned and warrant officers.
- (2) Enlisted personnel in grades E-6 through E-9.
- (3) Enlisted personnel in grades E-1 through E-5 who are under investigation of, or have been charged with, an offense which may be punished under the UCMJ by confinement in excess of one year or a dishonorable discharge.

\*This regulation supersedes AR 600-31, 2 April 1973.

TAGO 431A--February 540-472--74

1

RETURN TO ARMY LIBRARY  
ROOM 1 A 518 PENTAGON

MSC 031/2025/21  
22/02/00/00.78

(4) All enlisted personnel holding a reserve commission or warrant and those assigned duty in MOSC OOJ, and career management fields 96, and 97.

(5) All personnel under investigation for security reasons as specified in AR 604-10.

b. Commanders may require the application of these procedures to personnel in grades E-1 through E-5 for other than security cases. In such instances, the distribution and disposition of DA Forms 268 (Report for Suspension of Favorable Personnel Actions) will be as directed by the commander.

**3. Suspension of favorable personnel action.** a. Favorable personnel actions will be suspended for personnel specified in paragraph 2a.

(1) To whom provisions of AR 604-10 apply.

(2) Against whom action is initiated which may result in dismissal, discharge, court-martial, disciplinary action, or elimination.

(3) Against whom an investigation is initiated by military or civilian authorities concerning credible allegations or incidents which reflect unfavorably upon their character or integrity.

(4) Under charges or restraint by civilian authorities.

(5) Absent without leave.

(6) Who have been recommended for removal from a recommended promotion list.

b. No favorable personnel action will be taken on an individual under suspension other than for—

(1) Reassignments authorized by paragraph 5b.

(2) Leave and rest and recuperation (except excess leave). Excess leave as provided by paragraph 5-2d (3), AR 630-5 may be authorized.

(3) Requests for unqualified resignation, discharge, release from active duty, or retirement. Although considered favorable personnel actions, they will be considered on an individual basis, under appropriate regulations. Cases will be acted upon by MILPERCEN, based on the field commander's recommendation and the particular circumstances of the case. The CG, RCPAC will act on cases involving reserve personnel not on active duty.

**4. Responsibilities of commanders.** The suspension of favorable personnel actions has a serious effect on the morale and, possibly, the military careers of the individuals concerned. Commanders

must insure that a suspension of favorable personnel action is initiated when any of the criteria in paragraph 3a apply. Additionally, commanders will establish controls within their commands to insure that—

a. Knowledge of suspension is disseminated only to those who have a need-to-know.

b. Suspension is promptly lifted when reasons for suspension no longer exist.

c. DA Form 268 and correspondence and references pertaining directly thereto are removed from personnel files and all sources of control are destroyed when cases are closed.

d. Any favorable personnel action taken is not in contradiction of this regulation.

e. Favorable personnel actions are not approved for any personnel involved in acts or incidents covered by this regulation even though the formal act of suspending favorable personnel action is not required.

**5. Disposition of personnel.** a. *Separation.* This regulation does not constitute authority to retain personnel beyond expiration of term of service except as indicated in (2) or (3) below. Requests for disposition instructions regarding personnel whose separation is pending will be forwarded by mail (airmail when appropriate) through major Army commanders, if appropriate, to HQDPA (DAPC-PAS), 200 Stovall Street, Alexandria, VA 22332.

(1) For security cases, disposition instructions will be requested at least 90 days prior to the individual's expiration of term of service. Major commanders will comply with the provisions of AR 604-10.

(2) For commissioned officer and warrant officer cases, other than security cases, disposition instructions will be requested at least 60 days prior to the individual's expiration of term of service, or mandatory release date except for those to whom the provisions of paragraph 3-12, AR 635-100 apply.

(3) For enlisted cases other than security cases, the provisions of section II, chapter 2, AR 635-200 will apply.

b. *Reassignment.*

(1) Personnel on active duty or active duty for training who are under suspension of favorable personnel actions will not be reassigned with-

out prior approval of HQDA unless such reassignment is made—

(a) Within an installation by the installation commander.

(b) Of enlisted personnel within a major oversea command by the major commander.

(c) Of enlisted personnel returned to Military Control after being dropped from the rolls as a deserter (AR 630-10).

(d) Of enlisted personnel when suspension of favorable personnel action remains in effect due to an incident for which the member is undergoing punishment imposed by a civil court or court-martial, and no restraint is imposed; or at such time as restraint portion of a sentence or punishment is terminated.

(e) Of desertion cases as specified in AR 630-10.

(2) Requests for authority to reassign officers who are under suspension of favorable personnel actions under circumstances other than described in (1) above, will be forwarded together with justification for such reassignment to HQDA (DAPC-OPD) (Career Branch or Colonel's Division) 200 Stovall Street, Alexandria, VA 22332 as appropriate, with the following exceptions—

(a) Army Medical Department—HQDA (DASG-PTS), Wash DC 20314.

(b) Chaplain—HQDA (DACH-PEA), Wash DC 20314.

(c) Judge Advocate General's Corps—HQDA (DAJA-PT), Wash DC 20310.

(3) Request for authority to reassign enlisted personnel who are under suspension of favorable personnel actions, under circumstances other than described in (1) above, will be forwarded together with justification for such reassignment to HQDA (DAPC-EPC-A), 2461 Eisenhower Avenue, Alexandria, VA 22331.

*c. Transfer of control.*

(1) Upon reassignment of an individual under suspension, control of the suspension will be transferred to the gaining commander, except as provided in paragraph 6c. Control of cases of personnel dropped from the rolls as deserters will be transferred to Commander, Enlisted Records Center, Fort Benjamin Harrison, IN 46216. Control of cases of personnel released from active duty will be transferred to Commander, US Army Re-

serve Components Personnel and Administration Center, 9700 Page Blvd, St. Louis, MO 63132.

(2) The losing commander will—

(a) Notify the gaining commander with information copy to HQDA (DAPC-PAP-PF), 200 Stovall Street, Alexandria, VA 22332 by airmail, including name, grade, and SSN of individual; the authority for reassignment; and estimated time of arrival.

(b) Forward the complete suspension file and any report of investigation to the gaining commander, except when transfer does not remove individual from jurisdiction of the commander controlling the suspension action and/or investigation. When the losing commander retains control of investigation, a copy of the report of investigation and all subsequent progress reports will be forwarded to the gaining commander. *The individual on whom suspension of favorable personnel action is pending, will not be permitted to handcarry the suspension file or the report of investigation to the gaining commander.*

(3) The gaining commander will—

(a) Assume control of the suspension action.

(b) Furnish the agencies in his chain of command copies of the suspension action (if these agencies are different from those of the losing command).

(c) Submit reports as required by this regulation. Transfer of suspension action does not interrupt the reporting requirements.

(4) In case of personnel assigned to a transfer activity or returned from overseas for discharge or relief from active duty, the suspension action will be transferred in accordance with (2) and (3) above, and will not be closed until separation is final.

**6. Removal of suspension of favorable personnel action.** *a.* Suspension of favorable personnel action will not be removed (except as indicated in *c* below) while an individual is undergoing punishment imposed under Article 15, UCMJ, or is under sentence of court-martial, or during the term of any suspension of punishment imposed (AR 27-10).

(1) An individual is considered to be undergoing punishment with respect to forfeiture or detention of pay imposed by sentence of a court-martial or under Article 15, UCMJ, until the last

AR 600-31

day of period of forfeiture or detention of pay specified in the sentence as finally approved. This date will be the date the money is collected on a cash collection voucher or the day following the payday for the month in which documents were forwarded to the finance officer to initiate payroll deduction.

(2) In computing the period of forfeiture or detention of pay, periods of unauthorized absence (computed in accordance with Department of Defense Military Pay and Allowances Entitlements Manual (DODPM) which occur during this period will be excluded.

b. Commanders may remove suspension actions initiated under the provisions of paragraph 3a(4) after disposition by civil authorities, if the member is not in confinement. When the individual is found guilty by civil authorities, or action is taken which is tantamount to a finding of guilty, commanders are cautioned to avoid lapses of suspension of favorable personnel actions if follow-on action, as provided by paragraph 3a applies.

c. When the termination of a suspension of a favorable action is contingent solely upon collection of forfeitures imposed by a court-martial or Article 15, UCMJ, losing commanders may remove the suspension when the individual is being transferred on permanent change of station orders and the suspension would expire during the period the individual is enroute to the new station.

d. Removal will be accomplished when a case is closed in accordance with AR 604-10 or other security regulations or directives. For those cases forwarded to Department of the Army under the provisions of paragraph 4-4a, and 4-4b (4), AR 604-10, the major commander may remove the suspension 30 days after the case is forwarded to the Commander, US Army Personnel Security Group, ATTN: IGPSG-L, Fort Meade, MD 20755, unless advised by the US Army Personnel Security Group that further investigation is required before a determination may be made, or that an individual is recommended for elimination when the major commander recommended retention. When suspension is removed in accordance with the foregoing, the following applies:

(1) The proviso annotation placed on the individual's records during preinduction processing will remain in effect until final determination has been made at Department of the Army level.

(2) Upon reassignment prior to receipt of final determination, the major commander will forward all pertinent information to the gaining commander.

**7. Reports.** Suspension of favorable personnel actions will be reported on DA Form 268. DA Form 268 is available through normal AG publications supply channels. (All concerned are reminded that a Serious Incident Report filed under AR 190-40 is not a substitute for suspension of favorable personnel action).

a. Distribution of DA Form 268 will be as follows:

(1) Active Duty Personnel.

(a) HQDA (DAPC-PAP-PF), 200 Stovall Street, Alexandria, VA 22332 (Original and 1 copy).

(b) Custodian of Military Personnel Record Jacket.

(c) General Court-martial jurisdiction.

(d) Commander, USA Personnel Security Group, ATTN: ICPSG-L, Fort Meade, MD 20755 (only for cases containing adverse loyalty information).

(e) Commander, USA Personnel Security Group, ATTN: ICDO-ISI, Fort Meade, MD 20755 (only for security cases).

(2) US Army Reserve personnel not on active duty.

(a) Commander, US Army Reserve Components Personnel and Administration Center, 9700 Page Boulevard, St. Louis, MO 63132.

(b) Commander of appropriate area command.

(3) Army National Guard personnel not on active duty.

(a) Chief, National Guard Bureau, Wash DC 20310.

(b) State adjutant general of the State in which individual's home of record is located.

b. Interim reports will be submitted 60 days after the initial report and every 60 days thereafter until the case is closed. Interim reports are not required for personnel who have been dropped from the rolls as deserters or for personnel serving a sentence or under suspended sentence pending appellate review, board action, or review of board action at HQDA. Submission of interim reports will be resumed when there is a change in status of the case or the individual.



0001153340

AR 600-31

c. Separate reports will be submitted on each suspension action. For example, an individual may be involved in an incident under investigation and, before closing of the suspension, becomes involved in another incident.

d. These reports are exempt from reports control under the provisions of paragraph 7-2h, AR 335-15.

e. Distribution of interim and final reports will be the same as the initial report or as changed by transfer of suspension control.

f. The commander or Department of the Army agency which has control of the suspension of favorable personnel action will exercise particular care to ascertain that the interim and final reports are submitted promptly. These reports are required to complete suspension control files and to protect the rights of individuals in personnel actions. When interim or final reports are not received within a reasonable period of time from the due date, the commander of agency controlling the suspension will initiate follow-up actions to determine the status of the case.

**8. Responsibility.** a. In other than security cases, the commander or Department of the Army agency having knowledge of information or initiating action under paragraph 3a (2), (3), (4), (5), or (6)

will establish or cause to be established the suspension of favorable personnel action, and maintain control until the case is closed or transferred to another commander under paragraph 5c.

b. In security cases, major commanders are responsible for establishing procedures for submission and control of suspension reports for all members of the US Army on whom suspension action has been initiated under AR 604-10 or under other security regulations or directives. (A loss or compromise of a classified document which requires investigation under AR 380-5 and DOD 5200.1-R does not fall in this category unless activities described in paragraphs 18 and 19, AR 381-130 are involved).

**9. Classification.** a. Reports submitted on other than security cases will not be classified unless defense information involved requires classification under AR 380-5 and DOD 5200.1-R. Marking under AR 340-16 "FOR OFFICIAL USE ONLY", is authorized if deemed necessary by control commander.

b. Reports submitted on security cases will be marked "FOR OFFICIAL USE ONLY" (AR 340-16). If classified defense information is involved, reports will be classified as required by AR 380-5 and DOD 5200.1-R.

The proponent agency of this regulation is the US Army Military Personnel Center. Users are invited to send comments and suggested improvement on DA Form 2028 (Recommended Changes to Publications) direct to HQDA (DAPC-PAP), 200 Stovall St., Alexandria, VA 22332.

By Order of the Secretary of the Army:

Official:

VERNE L. BOWERS  
Major General, United States Army  
The Adjutant General

OREIGHTON W. ABRAMS  
General, United States Army  
Chief of Staff

**DISTRIBUTION:**

Active Army, ARNG, USAR: To be distributed in accordance with DA Form 12-9A requirements for Personnel, General-A (Qty Rqr Block No. 382)

PENTAGON LIBRARY



0001153340