

Personnel-General

Suspension of Favorable Personnel Actions (Flag)

Headquarters
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UNCLASSIFIED

SUMMARY of CHANGE

AR 600-8-2

Suspension of Favorable Personnel Actions (Flag)

This major revision, dated 23 October 2012-

- Adds oversight responsibilities at all levels (para 1-4).
- Assigns responsibilities to the U.S. Army Installation Management Command (para 1-4).
- Adds policy for the management of suspension of favorable personnel actions (Flag) for general officers (para 2-1h).
- Clarifies when Flags are imposed for investigations (paras 2-2a and 2-2b).
- Changes name of "elimination" Flag to "involuntary separation or discharge" Flag (para 2-2d).
- Expands "Referred" DA Form 67-9 (Officer Evaluation Report) Flag to include "Relief for Cause" DA Form 2166-8 (NCO Evaluation Report) and revises when Flag is removed (para 2-2f).
- Authorizes a Flag for Soldiers without approved Family care plans (para 2-2l).
- Creates additional Flag categories and updates existing categories (table 2-1).
- Directs flagging authority, unit commander, or first line supervisor to counsel flagged Soldier (para 2-6).
- Revises DA Form 268 (Report to Suspend Favorable Personnel Actions (FLAG)) (figs 2-1, 2-2, and 2-3).
- Assigns responsibility for transferring Flag documentation for transferable Flags (para 2-8).
- Adds Internal Control Evaluation Checklist (app C).
- Clarifies authentication authorities (throughout).
- Addresses current human resource organizational structure and responsibilities under Personnel Services Re-design (throughout).
- Changes U.S. Army Human Resources Command-Alexandria and U.S. Army Human Resources Command-St. Louis to U.S. Army Human Resources Command and changes address and office symbols (throughout).
- Makes administrative changes (throughout).


Personnel-General

Suspension of Favorable Personnel Actions (Flag)

By Order of the Secretary of the Army:

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General, United States Army
Chief of Staff

Official:


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History. This publication is a major revision.

Summary. This regulation prescribes policies, operating rules, and steps governing the suspension of favorable personnel actions, hereafter referred to as “Flag” throughout the regulation. AR 600–8–2 has been revised to update responsibilities, add and clarify categories and application of Flags, update DA Form 268 (Report to Suspend Favorable Personnel Actions (FLAG)), and adds internal controls.

Applicability. This regulation applies to the Active Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve, unless

otherwise stated. It also applies to all personnel who operate unit mailrooms at company and battalion levels. During mobilization, the proponent may modify chapters and policies contained in this regulation.

Proponent and exception authority. The proponent of this regulation is the Deputy Chief of Staff, G–1. The proponent has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and regulations. The proponent may delegate this approval authority, in writing, to a division chief within the proponent agency or a direct reporting unit or field operating agency in the rank of colonel or the civilian equivalent. Such approval is hereby delegated to the Commander, U.S. Army Human Resources Command. Activities may request a waiver to this regulation by providing justification that includes a full analysis of the expected benefits and must include formal review by the activity’s senior legal officer. All waiver requests will be endorsed by the commander or senior leader of the requesting activity and forwarded through their higher headquarters to the proponent. Refer to AR 25–30 for specific guidance.

Army internal control process. This regulation contains internal control provisions in accordance with AR 11–2 and

identifies key internal controls that must be evaluated (appendix C).

Supplementation. Supplementation of this regulation and establishment of command and local forms are prohibited without prior approval from Commander, U.S. Army Human Resources Command (AHRC–PVD–P), 1600 Spearhead Division Avenue, Department 470, Fort Knox, KY 40122–5407 or usarmy.knox.hrc.mbx.tagd-opsa@mail.mil.

Suggested improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to Commander, U.S. Army Human Resources Command (AHRC–PVD–P), 1600 Spearhead Division Avenue, Department 470, Fort Knox, KY 40122–5407.

Distribution. This publication is available in electronic media only and is intended for command levels A, B, C, D, and E for the Active Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve.

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Glossary

Chapter 1 Introduction

Section I General

1-1. Purpose

This regulation prescribes Army policy for the suspension of favorable personnel actions (Flag) function of the military personnel system. It is linked to AR 600-8 and provides principles of support, standards of service, and policies regarding the initiation, transfer, removal, and management of Flags.

1-2. References

Required and related publications and prescribed and referenced forms are listed in appendix A.

1-3. Explanation of abbreviations and terms

Abbreviations and special terms used in this regulation are explained in the glossary.

Section II Overview

1-4. Responsibilities

a. Deputy Chief of Staff, G-1. The DCS, G-1 will—

- (1) Serve as the Department of the Army (DA) policy proponent of the Army flagging or Flag system.
- (2) Exercise DA responsibility on all matters concerning Flags.
- (3) Serve as the senior Army official on all matters concerning Flags.
- (4) Formulate new policies as the need arises.

b. Commanding General, U.S. Army Human Resources Command. The CG, HRC will—

- (1) Clarify policies and grant exceptions on a case-by-case basis to policies as they relate to this regulation.
- (2) Initiate and manage Headquarters, Department of the Army (HQDA) level Flags for—
 - a*) Consideration of removal from a centralized selection promotion list or command list (AHRC-PDV-P).
 - b*) Consideration of removal from a semi-centralized selection promotion list (AHRC-PDV-P).
 - c*) Initiated involuntary separation (AHRC-OPL-R (officer) and AHRC-EPF-M (enlisted)).
 - d*) Directed adverse action (AHRC-PDV-P).
- (3) Execute the provisions of this regulation for individual ready reserve and individual mobilization augmentee Soldiers and provide oversight of Flags for the U.S. Army Reserve (USAR) active guard reserve (AGR) Soldiers.

c. Chief, National Guard Bureau. The Chief, NGB is responsible for the overall administration of a flagging system for Army National Guard (ARNG) Title 10, United States Code (10 USC) (AGR) Soldiers. The Director, ARNG will recommend ARNG policy changes to the DCS, G-1 regarding Flags and provide oversight to ensure compliance with the provisions of this regulation for all ARNG Soldiers (including those ordered to active duty for 30 days or less). The Chief, NGB, acting on behalf of the Secretary of the Army, delegates the flagging for Federal actions to the Director, ARNG. The Director, ARNG will initiate and manage HQDA level Flags on ARNG/Army National Guard of the United States (ARNGUS) Soldiers for—

- (1) Consideration of removal from a centralized selection promotion list or ARNGUS unit vacancy promotion list undergoing Federal recognition (ARNG-HRP).
- (2) Directed adverse action (ARNG-HRP).

d. State adjutants general. The state adjutants general are responsible for the overall administration of a flagging system for ARNG Soldiers within their state and will provide oversight to ensure compliance with the provisions of this regulation.

e. Chief, Army Reserve. The CAR is responsible for the overall administration of a flagging system for USAR Soldiers (including those ordered to active duty for 30 days or less). Regional support commands and major subordinate commands within and throughout the USAR will execute the provisions of this regulation for troop program unit Soldiers. The CAR will recommend Army Reserve policy changes to the DCS, G-1 regarding Flags and provide oversight to ensure compliance with the provisions of this regulation.

f. Commanders, regional support commands. These commanders will provide oversight of Flag management for USAR AGR Soldiers within their region. The regional personnel service center will process Flags for AGR Soldiers and input Flags into the human resources (HR) systems.

g. Commanders, operational and functional commands. These USAR commanders will provide oversight of Flag management for troop program unit Soldiers within their commands.

h. Chief, General Officer Management Office. The chief for each component is responsible for the management of Flags for his or her component's general officers.

i. Commander, U.S. Army Installation Management Command. The commander, through subordinate regions and garrisons, will—

(1) Ensure military personnel divisions (MPDs) provide Flag management and oversight for non-Personnel Service Delivery Re-design units within their jurisdiction.

(2) Ensure MPDs establish procedures to ensure Soldiers do not conduct a permanent change of station (PCS) or separate from the Service with nontransferable Flags unless otherwise provided for in this regulation.

(3) Ensure MPDs establish procedures to verify DA Form 268 (Report to Suspend Favorable Personnel Actions (FLAG)) and supporting documents for Soldiers PCSing with transferable Flags are transferred to the gaining installation.

j. Commanders of Army commands, Army service component commands, direct reporting units, and combatant commanders. These commanders at all levels will ensure that Soldiers in their command who are in an unfavorable status are flagged, and will provide oversight of subordinate units to ensure compliance with the provisions of this regulation.

k. Commandant, Adjutant General School. The commandant will ensure the development and dissemination of lesson programs of instruction incorporating the provisions of this regulation and Flag management for HR personnel and for command leadership.

1-5. Proponency

Proponents for the flagging action program are as follows:

a. Policy. The DCS, G-1 (DAPE-MPE).

b. Functional. The CG, HRC (AHRC-PDV-P).

c. Branch. The Commandant, Adjutant General School (ATSG-AG).

1-6. Manpower resources

The Flag function is the responsibility of commanding officers at all levels and the functional responsibility of the brigade (BDE) adjutant (S1), battalion (BN) S1, and MPD. Manpower officials will use the average number of authorized Soldiers in the supported population during the preceding 12 months as the workload factor (obtained in Manpower Staffing Standards Systems) to determine the manpower authorizations.

1-7. Levels of work

Most human resource work in the field is performed at three primary levels: unit, BN, and BDE or MPD. The focus of the guidance in this regulation is on those three levels.

Section III

Principles and Standards

1-8. The principle of support

This regulation institutes a system to guard against the execution of specified favorable personnel actions for Soldiers not in good standing (for example, unfavorable status).

1-9. Standards of service

a. A DA Form 268 and HR system input will be initiated within 3 working days when a Soldier's status changes from favorable to unfavorable.

b. Active Flag cases will be reviewed at least monthly. Unit level commanders will review and validate Flag reports monthly. BN level commanders will review and validate all Flags over 6 months old monthly.

c. A Flag will be removed within 3 working days after the Soldier's status changes from unfavorable to favorable.

Chapter 2

Policy and Management of Flags

2-1. General policy

a. The purpose of a Flag is to prevent and/or preclude—

(1) Execution of favorable actions to a Soldier who may be in an unfavorable status (not in good standing).

(2) Movement of a Soldier when it is in the best interests of the Army for the Soldier to remain in his or her current unit or at his or her current location until cleared of ongoing actions. Should the command determine that it is in the best interests of the Army to PCS the Soldier even though he or she has not been cleared of ongoing actions, the

command may do so in accordance with paragraph 2–8: however, the Flag will remain in place.

Note. Soldiers with nontransferable Flags may be reassigned on a case-by-case basis when the Soldier’s personnel management division at HRC or other component headquarters directs the transfer.

b. Flags are not to be used for punishment or restriction, but only as an administrative tool.

c. The Flag is not the final disposition. A Flag is emplaced during some type of disciplinary or administrative action until that action is concluded.

d. The Flag should be initiated within 3 working days after identification of the Soldier’s unfavorable status and removed within 3 working days after determination of the final disposition.

e. The suspension of favorable actions on a Soldier is mandatory when military or civilian authorities initiate any investigation or inquiry that may potentially result in disciplinary action, financial loss, or other loss to the Soldier’s rank, pay, or privileges. Commanders, general officer staff heads, and heads of HQDA staff agencies (to include the DA Suitability Evaluation Board) must ensure that favorable personnel actions are suspended in accordance with the criteria contained in this regulation.

f. Commanders and general officer staff heads will establish necessary internal controls to ensure the following requirements are met:

(1) DA Form 268 is prepared to reflect that favorable personnel actions are suspended with regard to the affected Soldier and the Flag is input into HR systems without delay.

(2) Only those with a “need to know” of a Flag are informed. A person has a “need to know” only if he or she must have access to knowledge, or possession of the Flag, in order to perform official duties.

(3) Flag information will support the Health Promotion, Risk Reduction, and Suicide Prevention policy for information sharing described in AR 600–63 and DA Pam 600–24.

(4) Favorable actions are not granted when prohibited by this regulation. The MPD supporting personnel office, BDE S1, or other authorized records custodian for the Soldier will also use appropriate reports or processes to guard against the execution of favorable personnel actions for flagged Soldiers.

(5) DA Form 268 is prepared to remove a Flag when the Soldier’s status changes from unfavorable to favorable and the Flag is removed from the HR systems within 3 working days.

g. Flags are classified into two categories depending on the specific action or investigation:

(1) *Nontransferable.* The flagged Soldier may not be transferred to another unit (except as provided for in para 2–8).

(2) *Transferable.* The flagged Soldier may be transferred to another unit.

h. The policy in this regulation applies to all general officers. However, general officers will not be flagged in their component’s HR system of record, to include Army Physical Fitness Test (APFT) and weight control Flags. Units will submit DA Form 268 with supporting documentation to the General Officer Management Office who will input the Flag into, or remove the Flag from the component’s internal general officer management system. Commander’s investigations of general officers are conducted by The Inspector General and the General Officer Management Office will Flag general officers during these investigations and during law enforcement investigations.

2–2. Circumstances requiring a nontransferable Flag

A Soldier flagged under the provisions of this paragraph may not be reassigned to another unit unless specifically authorized by this regulation. This restriction does not apply to reassignments required by law. The specific actions or investigations listed below require initiation of a nontransferable Flag (see table 2–1). More than one Flag may be required concurrently. Examples of circumstances requiring nontransferable Flags include—

a. *“Commander’s investigation” (Flag code L).* Commanders must Flag Soldiers who are suspects or subjects of an investigation or are designated as respondents in a board. The term “investigation” is to be interpreted broadly to include any action that may result in disciplinary action, financial loss, or other loss to the Soldier’s rank, pay, or privileges. Examples of investigations include, but are not limited to, commander’s inquiry, financial liability investigation of property loss, and AR 15–6 investigations. If the investigating officer finds reason to suspect a Soldier who was not originally identified as a suspect, subject, or respondent, the commander must be notified and must Flag that Soldier as well. Examples triggering Flag code L include, but are not limited to, a Soldier who is a witness in an investigation but later becomes a suspect, or when an investigation has no identified respondent but later the investigating officer finds reason to suspect a Soldier may be subject to disciplinary action. Effective date of the Flag is the date of offense, the date the commander directs the investigation, the date the commander appoints an investigation officer, or the date the investigating officer suspects the Soldier may be subject to disciplinary action.

b. *“Law enforcement investigation” (Flag code M).* Commanders must Flag Soldiers titled as possible subjects or suspects by the U.S. Army Criminal Investigation Command (USACIDC) (or Service equivalent), military police, or civilian law enforcement during the course of an investigation. Effective date of the Flag is the date of offense or the date law enforcement identifies or titles the Soldier as a subject or suspect. Upon adjudication decision, commanders must submit a completed DA Form 4833 (Commander’s Report of Disciplinary or Administrative Action) to the provost marshal or USACIDC in accordance with AR 190–45.

c. *“Adverse actions” (Flag code A)*. Commanders must Flag Soldiers for adverse actions including, but not limited to (except drug or alcohol related offences which will be flagged code U or V):

(1) Initiation of proceedings under Article (ART) 15, Uniform Code of Military Justice (UCMJ, ART 15); court-martial proceedings (immediately upon preferral of charges or pretrial confinement); or civilian criminal charges, restraint, or confinement. This Flag may appropriately overlap with Flag code L or M above, as warranted.

(2) Initiation of proceedings for administrative reduction in grade for inefficiency or misconduct in accordance with AR 600–8–19.

(3) Initiation of a nonpunitive memorandum of reprimand, censure, or admonishment. The Flag will be effective on the day the offense leading to the memorandum took place. This Flag may appropriately overlap with Flag code L or M above, as warranted.

(4) Soldier is absent without leave (AWOL) in accordance with AR 630–10. For all Soldiers, submit the initial Flag on the second day of AWOL effective the first day of AWOL.

d. *“Involuntary separation or discharge” (field initiated (Flag code B) or Headquarters, Department of the Army initiated (Flag code W))*. Soldiers pending involuntary separation or discharge (AR 635–200, AR 600–8–24, AR 135–175, or AR 135–178) to include the Qualitative Management Program, must be flagged (except entry level performance and conduct separations initiated under AR 635–200). Soldiers will not be flagged solely for undergoing a medical evaluation board. The effective date of the Flag will be the date the commander signs the intent to separate notification memorandum to the Soldier or the date HQDA initiates an involuntary separation action. Remove the Flag when Soldier is reassigned to a transition point (Active Component), discharge orders are published (Reserve Component), or Soldier is retained. HQDA initiated Flags are authenticated by HRC (AHRC–OPL–R (officer) or AHRC–EPF–M (enlisted)).

e. *“Pending “removal or consideration for removal” from a command, promotion, or school selection list, to include an Army National Guard of the United States unit vacancy promotion list (field initiated (Flag code C) or Headquarters, Department of the Army initiated (Flag code F))*. HQDA initiated Flags are authenticated by HRC (AHRC–PDV–P) or the Director, ARNG (ARNG–HRP).

f. *“Referred” DA Form 67–9 or “Relief for Cause” DA Form 2166–8 (Flag code D)*. Initiate a DA Form 268 when a "Referred" DA Form 67-9 (Officer Evaluation Report) or a "Relief for Cause" DA Form 2166-8 (NCO Evaluation Report) is initiated for the rated Soldier. The effective date of the Flag will be the through date listed on the DA Form 67–9 or DA Form 2166–8, the date the decision was made to administer the "Referred" DA Form 67–9, or the date of the "Relief for Cause" DA Form 2166–8, or whichever is earlier. Remove the Flag when the DA Form 67–9 or DA Form 2166–8 is accepted error-free by HRC or State military personnel office and uploaded to the Soldier's Army Military Human Resource Record (AMHRR).

g. *“Security violations” (Flag code E)*.

(1) *Repetitive security violations*. A Flag will only be imposed if there is a reasonable belief an individual's ability to protect classified information has been compromised, as outlined in AR 380–5. The commander will coordinate with the command security manager and the U.S. Army Central Personnel Security Clearance Facility prior to implementing a flagging action. Because these matters may also have counterintelligence implications, the commander or security manager should ensure that the local supporting counterintelligence office is notified in accordance with AR 381–12.

(2) *Matters related to investigation of national security crimes*. Counterintelligence investigations in which a determination has been made that the subject was or is engaged in the national security crimes of espionage, subversion, sedition, treason, or terrorist activity and the UCMJ authority has decided to pursue prosecution. Flagging action will be accomplished only in coordination with the supporting Army counterintelligence organization and the appropriate staff judge advocate.

(3) *Security clearance*. Soldier will be flagged when the Commander, U.S. Army Central Personnel Security Clearance Facility denies or revokes the Soldier's security clearance, in accordance with AR 380–67, which is required for his or her continued service or by his or her military operational specialty in accordance with AR 614–200. Remove the Flag when the Soldier's security clearance is granted or reinstated; when the Soldier is reclassified into a military operational specialty that does not require a security clearance; or on the date the Soldier is reassigned to the transition point for separation.

h. *“Drug abuse adverse action” (Flag code U)*. Initiate a Flag following: initiation of proceedings under UCMJ, ART 15; court-martial proceedings (immediately upon preferral of charges or pretrial confinement); civilian criminal charges, restraint, or confinement; pending a nonpunitive memorandum of reprimand, censure, or admonishment; or other disciplinary action for drug related offenses including, but not limited to, positive drug test in accordance with AR 600–85. The effective date of the Flag is the date of the offense. A Flag is initiated based on the adverse action resulting from the drug abuse-related incident. A Flag may not be initiated based on referral, screening, or enrollment into the Army Substance Abuse Program (ASAP). For first time drug offenses remove the Flag (code D) when Soldier is reassigned to the transition point for separation or, if separation authority retains the Soldier, remove the Flag when punishment is complete, to include any period of suspension, probation, or parole. For second-time or higher drug offenses, remove the Flag when Soldier is reassigned to the transition point for separation (Active Component) or discharge orders are published (Reserve Component). If a show-cause board, administrative separation board, or

separation authority retains the Soldier, the Flag must be removed by the General Court Martial Convening Authority when punishment is complete. This Flag may appropriately overlap with Flag code L or M above, as warranted.

i. *“Alcohol abuse adverse action” (Flag code V)*. Initiate a Flag following: initiation of proceedings under UCMJ, ART 15; court-martial proceedings (immediately upon preferral of charges or pretrial confinement); civilian criminal charges, restraint, or confinement; pending a nonpunitive memorandum of reprimand, censure, or admonishment; or other disciplinary action for alcohol related offenses including, but not limited to, driving under the influence, on-duty impairment due to alcohol consumption (AR 600–85), or drunk and disorderly conduct. The effective date of the Flag is the date of the offense. A Flag is initiated based on the adverse action resulting from the alcohol abuse-related incident. A Flag may not be initiated based on referral, screening, or enrollment into the ASAP. Remove the Flag (code D) when the punishment is complete. This Flag may appropriately overlap with Flag code L or M above, as warranted.

j. *“Nonrecommendation for automatic promotion” (Flag code P or T)*.

(1) *For private through specialist (Flag code P)*. When a unit commander elects to deny a Soldier automatic promotion to private enlisted two (PV2), private first class (PFC), or specialist (SPC), he or she must Flag the Soldier no later than the 20th day of the month preceding the month of automatic promotion in accordance with AR 600–8–19. Remove the Flag no later than 2 working days following the date the Soldier would have been automatically promoted to PV2, PFC, or SPC.

(2) *For active component warrant officer one or second lieutenant (Flag code T)*. When promotion approval authority (lieutenant colonel (LTC) or higher commander) elects to deny an officer automatic promotion to chief warrant officer two (CW2) or first lieutenant (1LT) in accordance with AR 600–8–29, he or she must Flag the officer. To ensure promotion orders are not erroneously cut, the Flag must be input into HR systems no later than 90 days prior to the month of automatic promotion or the promotion approval authority, or his or her designee, must deny the promotion within the automatic promotion system in accordance with AR 600–8–29. Remove the Flag when the officer is reassigned to the transition point or, if the denial for promotion to 1LT is held in abeyance for up to 6 months, remove the Flag when the commander elects to promote the officer.

(3) *For Reserve Component warrant officer one or second lieutenant (Flag code T)*. Officer must be flagged when identified as an unsatisfactory participant or when he or she has not met the military educational requirements 30 days prior to his or her minimum time in grade requirements in accordance with AR 135–155. Flag will be removed when commander identifies the officer as a satisfactory participant and officer meets the military educational requirements.

k. *“Lautenberg Amendment” (Flag code X)*. Soldiers with a qualifying conviction under the Domestic Violence Amendment to the Gun Control Act of 1968 must be flagged, as required by AR 600–20. Remove the Flag when conviction is expunged, pardoned, or set aside by competent authority, or when Soldier is transferred to transition point for separation (Active Component) or discharge orders are published (Reserve Component).

l. *“Family care plan” (Flag code X)*. Soldiers who fail to provide and maintain an adequate Family care plan, as required by AR 600–20, must be flagged. Effective date of the Flag will be the suspense date established by the commander for completion and approval of DA Form 5305 (Family Care Plan) with attendant documents in accordance with AR 600–20. Remove the Flag when the Family care plan is approved or recertified by the commander.

m. *“Professional licensing, certification and competency of Army Medical Department health care workers and veterinarians” (Flag code X)*. The Surgeon General of the Army is responsible for the professional review and discipline of all Army Medical Department (AMEDD) health care workers with respect to professional competency, licensure, certification, privileges, and/or scope of practice. The Surgeon General has partially delegated this responsibility to military treatment facility commanders and the U.S. Army Medical Command Quality Management Division. With respect to AMEDD veterinarians, the Surgeon General is only responsible for licensure. Only The Surgeon General (or his or her designee) may impose or remove a Flag for AMEDD personnel for reasons related to licensure, certification, clinical competency, or professional misconduct related to delivery of a health care item or service. Applicable processes are governed by 10 USC 1102, Department of Defense (DOD) 6025.13–R and detailed in AR 40–68.

n. *“Chaplains (Flag code X)”*. Only the Chief of Chaplains or his or her designated representative may impose or remove a Flag on a chaplain for reasons involving the chaplain’s denominational endorsement or credentialing. Endorsement or credentialing issues are not necessarily criminal but usually administrative in nature. This does not preclude the commander from issuing a Flag when the issue relating to endorsement or credentialing is associated with a criminal act.

o. *“Professional licensing and certification of judge advocates, legal administrators, and military paralegals” (Flag code X)*. The Judge Advocate General is responsible for the professional supervision and professional discipline of judge advocates, military trial and appellate judges, legal administrators (military occupational specialty 270A), and military paralegals (military occupational specialty 27D). Only The Judge Advocate General (or his or her designee) may impose or remove a Flag, at his or her discretion, for judge advocates, military trial and appellate military judges, legal administrators, and military paralegals for reasons related to their professional licensing or certification of competency to act as counsel, their professional licensing or certification of qualification to act as a military trial or appellate military judge, their certification as a legal administrator or military paralegal, or for reasons related to the

delivery of legal services, in accordance with 10 USC 3037, Rule for Courts-Martial 109 (Manual for Courts-Martial), AR 27-1, and AR 27-26.

p. “Noncompliance with 10 USC 10206, Members: physical examinations (Reserve Components)” (Flag code X). Soldiers failing to meet requirements will be flagged. Remove the Flag on date of compliance, expiration term of service (ETS), expiration of service agreement (ESA), or mandatory retirement date/mandatory release date.

2-3. Circumstances requiring a transferable Flag

A Soldier flagged under the provisions of this paragraph may be reassigned to another unit by following guidance in paragraph 2-8. The specific actions listed below require initiation of a transferable Flag (see table 2-1). More than one Flag may be required concurrently. Examples of circumstances requiring transferable Flags include—

a. “Punishment phase” (Flag code H). Initiate a Flag when actions resulting from a court-martial, nonjudicial punishment, or punishment from a civil court have moved into the punishment phase and punishment does not include confinement, restraint, or geographical travel restrictions imposed by civilian courts as a condition of parole, probation, or suspended sentence as provided for in AR 27-10. Commanders will initiate a “Punishment Phase” Flag when the punishment period is 1month or longer and will remove the “Adverse Action” Flag the same day unless additional adverse action is pending. Remove Flag upon completion of punishment.

b. “Army Physical Fitness Test failure” (Flag code J). Initiate a Flag when a Soldier fails a record APFT or when, through the Soldier’s fault as determined by the commander, the Soldier fails to take the APFT within the time prescribed by existing regulations, or when directed by the commanding officer (as provided for in AR 350-1). A Flag is not required for a Soldier who has a permanent or temporary profile that precludes taking the APFT or is unable to undergo an APFT because of conditions beyond the Soldier’s control (as determined by the commander). Soldiers with a profile effective after the APFT will remain flagged until a record APFT is passed. A Flag is not required when the commander determines the Soldier cannot be administered an alternate APFT because of conditions beyond the Soldier’s control. Soldiers who become pregnant after being flagged for failing an APFT (as determined by a physician) will remain flagged until successfully passing an APFT. Remove the Flag (code E) on date of compliance. If, as determined by her primary care provider, the Soldier was pregnant at the time of APFT failure, the commander will immediately remove the Flag (code Z).

c. “Noncompliance with Army Weight Control Program” (Flag code K). The effective date of the Flag is the date that the Soldier was found to be in noncompliance with AR 600-9. The use of certain medication to treat an underlying medical disorder or the inability to perform all aerobic events may contribute to weight gain but are not considered sufficient justification for noncompliance with AR 600-9 and the Soldier will be flagged. Soldiers will not be exempt because of chronic medical conditions unless an exception to enrollment in the Army Weight Control Program (AWCP) is granted by the DCS, G-1. In the case of a pregnant Soldier, if the Soldier became pregnant prior to being entered into the overweight program, the commander will close the Flag using codes KZ, not KE. If the Flag was initiated before pregnancy (as determined by her primary care provider) the Flag will remain in effect until the Soldier complies with AR 600-9. Remove the Flag (code E) on date of compliance.

Table 2-1
Reason codes

Code	Reason
Nontransferable Flags	
A	Adverse action.
B	Involuntary separation or discharge (field initiated).
C	Removal from a selection list (field initiated).
D	Referred DA Form 67-9 or Relief for Cause DA Form 2166-8.
E	Security violation.
F	Removal from a selection list (HQDA initiated).
L	Commander’s investigation.
M	Law enforcement investigation.
P	Not recommended for automatic promotion to PV2, PFC, or SPC.
T	Not recommended for automatic promotion to 1LT or CW2.
U	Drug abuse adverse action.
V	Alcohol abuse adverse action.

Table 2-1
Reason codes—Continued

W	Involuntary separation or discharge (HQDA initiated).
X	Other a. Lautenberg Amendment. b. Family care plan. c. AMEDD failure to obtain or maintain a license, certification, and/or registration. d. Noncompliance with 10 USC 10206, Members: physical examinations. Note: The 'Other' Flag will not be used in-lieu of more applicable codes. For example, the X code will not be used for exceeding body fat standards in order to prevent the system from recording the Soldier's weight control enrollment.
Transferable Flags	
H	Punishment phase.
J	APFT failure.
K	AWCP.

2-4. Effective date

The effective date of a Flag, unless otherwise specified in this regulation, will be the date that the circumstance(s) requiring the Flag occurred, not the date the Flag was initiated (for example, if the circumstance occurred on the 25th of March, but the Flag was not initiated until the 3^d of April, the effective date of the Flag would still be the 25th of March).

2-5. Authentication

Unless otherwise specified in this regulation, only commanding officers, commandants, an officer/civilian with specific authority to sign "For the Commander" (for example, BN or higher executive officer, deputy commander, or adjutant), or HQDA general officer principle staff heads or their designee may authenticate a DA Form 268. Failure to counsel within prescribed times does not invalidate the Flag. The Commander, HRC (AHRC-PDV-P) will authenticate adverse action DA Forms 268 or investigation DA Forms 268 initiated by HQDA.

2-6. Notification

The flagging authority, unit commander, or first line supervisor will counsel all Soldiers on active duty, in writing, upon initiation of any Flag within 2 working days unless notification would compromise an ongoing investigation. Soldiers not on active duty will be counseled regarding initiation of a Flag prior to the conclusion of the first training period following the date the Flag was initiated. Counseling should include reason for the Flag, requirement for Flag removal, and action prohibited by the Flag. All flagged Soldiers will be provided a copy of the DA Form 268 when the Flag is initiated and when it is removed.

2-7. Rules for initiating a Flag

a. It is the commander's responsibility to ensure a DA Form 268 is immediately initiated on a Soldier and that the Flag is input into the HR systems when the Soldier's commander determines that one or more of the conditions in this regulation exist. Initiation of a Flag under such conditions is mandatory (see figs 2-1 and 2-2).

REPORT TO SUSPEND FAVORABLE PERSONNEL ACTIONS (FLAG)		
For use of this form, see AR 600-8-2; the proponent agency is DCS, G-1.		
SECTION I - ADMINISTRATIVE DATA		
1. NAME (Last, First, MI) DOE, SUE	2. SSN 222-22-2222	3. RANK ILT
4. <input checked="" type="checkbox"/> On active duty <input type="checkbox"/> Not on active duty <input type="checkbox"/> On ADT		5. ETS/ESA/MRD 20140526
6. UNIT ASSIGNED AND ARMY COMMAND HHC, 3d Brigade Combat Team FORSCOM		7. STATION (Geographical location) Fort Knox, KY
8. HR OFFICE CONTROLLING FLAGGING ACTION AND TELEPHONE NUMBER S-1, 3d Brigade Combat Team 356-678-9879		
9. THIS ACTION IS TO:		
<input checked="" type="checkbox"/> Initiate a flag (Sections II and IV only)		<input type="checkbox"/> Remove flag (Sections III and IV only)
SECTION II - INITIATE A FLAG		
10. <input checked="" type="checkbox"/> A FLAG IS INITIATED, EFFECTIVE <u>20120419</u> FOR THE FOLLOWING REASON:		
<u>NON-TRANSFERABLE</u> <input type="checkbox"/> Adverse Action (A) <input type="checkbox"/> Involuntary Separation - field initiated (B) <input type="checkbox"/> Removal from selection list - field initiated (C) <input type="checkbox"/> Referred OER/Relief for Cause NCOER (D) <input type="checkbox"/> Security violation (E) <input type="checkbox"/> HQDA Use Only - Elimination or removal from selection list (E) <input type="checkbox"/> Commander's Investigation (L) <input type="checkbox"/> Law Enforcement Investigation (M) <input type="checkbox"/> Deny Auto Promotion (P) (T) <input type="checkbox"/> Drug Abuse Adverse Action (U) <input type="checkbox"/> Alcohol Abuse Adverse Action (V) <input type="checkbox"/> HQDA Use Only - Involuntary Separation (W) <input checked="" type="checkbox"/> Other (X) <u>LAUTENBURG</u> Reason		<u>TRANSFERABLE</u> <input type="checkbox"/> APFT failure (J) <input type="checkbox"/> Weight control program (K) <input type="checkbox"/> Punishment Phase (H) <hr/> Date punishment completed
SECTION III - REMOVE A FLAG		
12. <input type="checkbox"/> A FLAG (Code _____) IS REMOVED, EFFECTIVE _____, FOR THE FOLLOWING REASON:		
<input type="checkbox"/> Case closed favorably (C)	<input type="checkbox"/> Erroneous (Z)	
<input type="checkbox"/> Case closed unfavorably (D)	<input type="checkbox"/> Other final action (E)	
SECTION IV - AUTHENTICATION		
DISTRIBUTION 1 - Unit Commander 1 - Soldier 1 - HRC (only if Soldier is on a HQDA selection list) 1 - S-1/MPD 1 - Commander, gaining unit (transfer flag only)		
NAME, RANK, TITLE, AND ORGANIZATION SHARON DOE, CPT, ADJUTANT 3D BRIGADE COMBAT TEAM		DATE 20121011
SIGNATURE DIGITAL SIGNATURE 123456789		

DA FORM 268, OCT 2012

PREVIOUS EDITIONS ARE OBSOLETE.

APD LF v1.00ES

Figure 2-1. Sample DA Form 268 (nontransferable Flag)

REPORT TO SUSPEND FAVORABLE PERSONNEL ACTIONS (FLAG)		
For use of this form, see AR 600-8-2; the proponent agency is DCS, G-1.		
SECTION I - ADMINISTRATIVE DATA		
1. NAME (Last, First, MI) DOE, JANE	2. SSN 111-11-1111	3. RANK SGT
4. <input checked="" type="checkbox"/> On active duty <input type="checkbox"/> Not on active duty <input type="checkbox"/> On ADT	5. ETS/ESA/MRD 20140610	
6. UNIT ASSIGNED AND ARMY COMMAND A CO, 1ST BATTALION, 18TH INFANTRY		7. STATION (Geographical location) FT RILEY, KS
8. HR OFFICE CONTROLLING FLAGGING ACTION AND TELEPHONE NUMBER S-1, 1-18TH INFANTRY, 123-456-7890		
9. THIS ACTION IS TO: <input checked="" type="checkbox"/> Initiate a flag (Sections II and IV only) <input type="checkbox"/> Remove flag (Sections III and IV only)		
SECTION II - INITIATE A FLAG		
10. <input checked="" type="checkbox"/> A FLAG IS INITIATED, EFFECTIVE <u>20120419</u> FOR THE FOLLOWING REASON:		
<p style="text-align: center; font-size: small;"><u>NON-TRANSFERABLE</u></p> <input type="checkbox"/> Adverse Action (A) <input type="checkbox"/> Involuntary Separation - field initiated (B) <input type="checkbox"/> Removal from selection list - field initiated (C) <input type="checkbox"/> Referred OER/Relief for Cause NCOER (D) <input type="checkbox"/> Security violation (E) <input type="checkbox"/> HQDA Use Only - Elimination or removal from selection list (E) <input type="checkbox"/> Commander's Investigation (L) <input type="checkbox"/> Law Enforcement Investigation (M) <input type="checkbox"/> Deny Auto Promotion (P) (T) <input type="checkbox"/> Drug Abuse Adverse Action (U) <input type="checkbox"/> Alcohol Abuse Adverse Action (V) <input type="checkbox"/> HQDA Use Only - Involuntary Separation (W) <input type="checkbox"/> Other (X) _____ <div style="text-align: center; font-size: x-small;">Reason</div>	<p style="text-align: center; font-size: small;"><u>TRANSFERABLE</u></p> <input type="checkbox"/> APFT failure (J) <input type="checkbox"/> Weight control program (K) <input checked="" type="checkbox"/> Punishment Phase (H) <u>20120724</u> Date punishment completed	
SECTION III - REMOVE A FLAG		
12. <input type="checkbox"/> A FLAG (Code _____) IS REMOVED, EFFECTIVE _____, FOR THE FOLLOWING REASON:		
<input type="checkbox"/> Case closed favorably (C) <input type="checkbox"/> Case closed unfavorably (D)	<input type="checkbox"/> Erroneous (Z) <input type="checkbox"/> Other final action (E)	
SECTION IV - AUTHENTICATION		
DISTRIBUTION 1 - Unit Commander 1 - Soldier 1 - HRC (only if Soldier is on a HQDA selection list) 1 - S-1/MPD 1 - Commander, gaining unit (transfer flag only)		
NAME, RANK, TITLE, AND ORGANIZATION JOHN DOE, CPT, IN, COMMANDER A CO, 1-18TH INFANTRY	SIGNATURE DIGITAL SIGNATURE 123456789	DATE 20121011
DA FORM 268, OCT 2012 PREVIOUS EDITIONS ARE OBSOLETE. APD LF v1.00ES		

Figure 2-2. Sample DA Form 268 (transferable Flag)

b. The Soldier's commander, a general officer, a commandant, or the head of a DA staff or field operating agency can direct the initiation of a Flag. Authentication of the DA Form 268 initiating the Flag will be in accordance with paragraph 2-5.

c. The unit commander and BN S1 personnel should consult available sources (such as the training noncommissioned officer (NCO), legal clerk/officer, security manager (S2), and first sergeant) to identify required flagging actions. They should also coordinate with the career counselor concerning the Soldier's eligibility for reenlistment.

d. The unit commander and BN S1 personnel will coordinate all Flags with the supporting S2 to determine if suspension of access to classified information is appropriate in accordance with the provisions of AR 380-67.

e. The BN S1 or unit will notify the commander if the Soldier's ETS, ESA, maximum years of service, or mandatory retirement date/mandatory release date is within 45 days of initiation of the Flag. If the commander states that the case will extend beyond the Soldier's scheduled transition from active duty date, and if otherwise permitted by applicable regulations, the BN S1 or unit will initiate action for authority to retain the Soldier beyond his or her scheduled transition date (see also para 3-2).

f. Commanders will initiate a separate Flag for each reason listed in this regulation for flagging a Soldier, if applicable.

g. The BDE S1, MPD, and Assistant Chiefs of Staff, G-1 will provide oversight to ensure subordinate units are initiating and removing flagging actions in accordance with this regulation and, on a quarterly basis, will reconcile the Flag report with supporting ASAP and USACIDC offices.

2-8. Rules for transferring a Flag

a. The losing command is responsible for providing the gaining command with Flag supporting documents for Soldiers with transferable Flags (DA Form 268 initiating Flag, weight control packet, DA Form 705 (Army Physical Fitness Test Scorecard), DA Form 4856 (Developmental Counseling Form), and so forth).

b. When a flagged Soldier is reassigned, the responsibility to manage the flagging action transfers to the gaining commander.

c. Normally, Soldiers with "open" Flag cases are not reassigned unless otherwise allowed in this regulation.

d. Soldiers with nontransferable Flags may be reassigned on a case-by-case basis when the Soldier's personnel management division at HRC or other component headquarters directs the transfer provided that, at the minimum, the following provisions are met:

(1) The losing command is willing to let the Soldier depart.

(2) The gaining command is willing to accept the flagged individual.

(3) All administrative actions (such as rebuttals to pending actions and directed AMHRR filings) have been accomplished.

(4) The Soldier does not have ongoing legal issues (except those outlined by transferable "Punishment Phase" Flag, para 2-3).

e. Flagged Soldiers on a HQDA centralized promotion list (promotable to captain (CPT) through colonel (COL), chief warrant officer three (CW3) through chief warrant officer five (CW5) and sergeant first class (SFC) through sergeant major/command sergeant major (SGM/CSM) may not be reassigned without prior approval of the Commander, HRC (AHRC-PDV-P), to ensure the Soldier does not PCS prior to completing all administrative requirements (rebuttals or AMHRR filing) and his or her presence is no longer required in the present command.

f. Units will convert Flags on ARNG Soldiers transferring to another state or to Title 10 status from report code "A" to report code "B" prior to transfer.

2-9. Removal of a Flag

a. General guidance.

(1) Only officers authorized to direct initiation of a Flag may direct removal of a Flag (for example, the unit commander, a general officer, commandant, or head of a DA staff or field operating agency) unless otherwise directed by this regulation or Commander, HRC (AHRC-PDV-P).

(2) Authentication will be in accordance with this regulation. For Soldiers separating while flagged, the DA Form 268 may be authenticated by the officer in charge of the in-and out-processing work center after coordination with the losing commander. For USAR and ARNG personnel, the final disposition of DA Form 268 will be authenticated by the unit commander or by the personnel officer of the headquarters issuing the separation order.

(3) The unit commander, BN S1 HR specialist, and unit administrator will consult with available sources (such as the training NCO, legal section, security manager, and first sergeant) to identify requirements to remove a Flag. Once a Flag is removed, the BN S1 or unit will notify the career counselor concerning the Soldier's eligibility for reenlistment and the security manager concerning access to classified information.

- (4) DA Form 268 (see sample in fig 2-3) and supporting documentation removing a Flag must be maintained for 1 year by the unit or the HR office controlling the flagging action.
- (5) A Flag closed as erroneous will be declared void and of no effect.
- (6) Approved report codes for removing Flags are in table 2-2.

REPORT TO SUSPEND FAVORABLE PERSONNEL ACTIONS (FLAG)				
For use of this form, see AR 600-8-2; the proponent agency is DCS, G-1.				
SECTION I - ADMINISTRATIVE DATA				
1. NAME (Last, First, MI) DOE, JOHN	2. SSN 000-00-0000	3. RANK SFC		
4. <input checked="" type="checkbox"/> On active duty <input type="checkbox"/> Not on active duty <input type="checkbox"/> On ADT	5. ETS/ESA/MRD 20150514			
6. UNIT ASSIGNED AND ARMY COMMAND HHC, 110th Military Intelligence Battalion, FORSCOM	7. STATION (Geographical location) Fort Drum, NY			
8. HR OFFICE CONTROLLING FLAGGING ACTION AND TELEPHONE NUMBER S-1, 110th MI BN, 808-555-0000				
9. THIS ACTION IS TO: <input type="checkbox"/> Initiate a flag (Sections II and IV only) <input checked="" type="checkbox"/> Remove flag (Sections III and IV only)				
SECTION II - INITIATE A FLAG				
10. <input type="checkbox"/> A FLAG IS INITIATED, EFFECTIVE _____ FOR THE FOLLOWING REASON:				
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <u>NON-TRANSFERABLE</u> <input type="checkbox"/> Adverse Action (A) <input type="checkbox"/> Involuntary Separation - field initiated (B) <input type="checkbox"/> Removal from selection list - field initiated (C) <input type="checkbox"/> Referred OER/Relief for Cause NCOER (D) <input type="checkbox"/> Security violation (E) <input type="checkbox"/> HQDA Use Only - Elimination or removal from selection list (E) <input type="checkbox"/> Commander's Investigation (L) <input type="checkbox"/> Law Enforcement Investigation (M) <input type="checkbox"/> Deny Auto Promotion (P) (T) <input type="checkbox"/> Drug Abuse Adverse Action (U) <input type="checkbox"/> Alcohol Abuse Adverse Action (V) <input type="checkbox"/> HQDA Use Only - Involuntary Separation (W) <input type="checkbox"/> Other (X) _____ <div style="text-align: center; font-size: small;">Reason</div> </td> <td style="width: 50%; vertical-align: top;"> <u>TRANSFERABLE</u> <input type="checkbox"/> APFT failure (J) <input type="checkbox"/> Weight control program (K) <input type="checkbox"/> Punishment Phase (H) <hr style="width: 50%; margin-left: auto; margin-right: 0;"/> Date punishment completed </td> </tr> </table>			<u>NON-TRANSFERABLE</u> <input type="checkbox"/> Adverse Action (A) <input type="checkbox"/> Involuntary Separation - field initiated (B) <input type="checkbox"/> Removal from selection list - field initiated (C) <input type="checkbox"/> Referred OER/Relief for Cause NCOER (D) <input type="checkbox"/> Security violation (E) <input type="checkbox"/> HQDA Use Only - Elimination or removal from selection list (E) <input type="checkbox"/> Commander's Investigation (L) <input type="checkbox"/> Law Enforcement Investigation (M) <input type="checkbox"/> Deny Auto Promotion (P) (T) <input type="checkbox"/> Drug Abuse Adverse Action (U) <input type="checkbox"/> Alcohol Abuse Adverse Action (V) <input type="checkbox"/> HQDA Use Only - Involuntary Separation (W) <input type="checkbox"/> Other (X) _____ <div style="text-align: center; font-size: small;">Reason</div>	<u>TRANSFERABLE</u> <input type="checkbox"/> APFT failure (J) <input type="checkbox"/> Weight control program (K) <input type="checkbox"/> Punishment Phase (H) <hr style="width: 50%; margin-left: auto; margin-right: 0;"/> Date punishment completed
<u>NON-TRANSFERABLE</u> <input type="checkbox"/> Adverse Action (A) <input type="checkbox"/> Involuntary Separation - field initiated (B) <input type="checkbox"/> Removal from selection list - field initiated (C) <input type="checkbox"/> Referred OER/Relief for Cause NCOER (D) <input type="checkbox"/> Security violation (E) <input type="checkbox"/> HQDA Use Only - Elimination or removal from selection list (E) <input type="checkbox"/> Commander's Investigation (L) <input type="checkbox"/> Law Enforcement Investigation (M) <input type="checkbox"/> Deny Auto Promotion (P) (T) <input type="checkbox"/> Drug Abuse Adverse Action (U) <input type="checkbox"/> Alcohol Abuse Adverse Action (V) <input type="checkbox"/> HQDA Use Only - Involuntary Separation (W) <input type="checkbox"/> Other (X) _____ <div style="text-align: center; font-size: small;">Reason</div>	<u>TRANSFERABLE</u> <input type="checkbox"/> APFT failure (J) <input type="checkbox"/> Weight control program (K) <input type="checkbox"/> Punishment Phase (H) <hr style="width: 50%; margin-left: auto; margin-right: 0;"/> Date punishment completed			
SECTION III - REMOVE A FLAG				
12. <input checked="" type="checkbox"/> A FLAG (Code V) IS REMOVED, EFFECTIVE 20120424 , FOR THE FOLLOWING REASON:				
<input type="checkbox"/> Case closed favorably (C) <input type="checkbox"/> Erroneous (Z) <input checked="" type="checkbox"/> Case closed unfavorably (D) <input type="checkbox"/> Other final action (E)				
SECTION IV - AUTHENTICATION				
DISTRIBUTION 1 - Unit Commander 1 - Soldier 1 - HRC (only if Soldier is on a HQDA selection list) 1 - S-1/MPD 1 - Commander, gaining unit (transfer flag only)				
NAME, RANK, TITLE, AND ORGANIZATION SALLY DOE, LTC, MI, Commanding 110th MI BN, FORSCOM	SIGNATURE DIGITAL SIGNATURE 123456789	DATE 20121011		
DA FORM 268, OCT 2012 PREVIOUS EDITIONS ARE OBSOLETE. APD LF v1.00ES				

Figure 2-3. Sample DA Form 268 (remove a Flag)

b. Rules for removing a Flag are as follows:

(1) *Charges, restraint, confinement, court-martial, nonjudicial punishment and absent without leave (including alcohol related incidents)*. Remove the Flag when the Soldier is acquitted at court-martial or civilian trial and no other adverse action arising from the incident or charges is contemplated; when UCMJ action is closed or dropped without action; or when punishment from court-martial, civilian trial, or nonjudicial punishment is completed. If a court-martial has adjudged a punitive discharge, the individual will remain flagged until the conviction is final in accordance with Rule for Courts-Martial 1209, Manual for Courts-Martial. If there is a suspension of punishment (for example, under UCMJ, ART 15) or the imposition of probation or parole (usually for civilian misconduct), that individual will remain flagged until the suspension, probationary, or parole period is over. This does not include suspension of a driver's license. If the duration of punishment, suspension, probation or parole is over 1 month, the unit should consider if the adverse action Flag should be converted to a transferable "Punishment Phase" Flag, if appropriate. In this case, the "Adverse Action" Flag is lifted the same date the "Punishment Phase" Flag is initiated. If the Soldier receives punishment and subsequently appeals, the Flag will be removed when punishment is complete; the Soldier will only remain flagged if the appeal puts the punishment on hold or suspension until either the adverse action is revoked or the punishment is complete. A Flag on a Soldier who is on a HQDA promotion list may only be removed by Commander, U.S. Army Human Resources Command (AHRC-PDV-P), 1600 Spearhead Division Avenue, Department 470, Fort Knox, KY 40122-5407 or usarmy.knox.hrc.mbx.tagd-opsa@mail.mil for Active Component or USAR Soldiers or by Director, Army National Guard (HRH-I), 111 South George Mason Drive, Arlington, VA 22204-1373 for ARNG or ARNGUS personnel. This includes officers promotable to CPT through COL, warrant officers promotable to CW3 through CW5, and enlisted Soldiers promotable to SFC through SGM/CSM.

(2) *For drug offenses*. Remove the Flag when Soldier is reassigned to the transition point for separation (Active Component) or discharge orders are published (Reserve Component). If a show-cause board, administrative separation board, or separation authority retains the Soldier, remove the Flag when punishment is complete, to include any period of suspension, probation, or parole. For second time drug offenses or higher, the Flag may only be removed by the General Court-Martial Convening Authority.

(3) *Administrative reduction*. Remove the Flag on the date of reduction.

(4) Memorandum of admonishment, censure, or reprimand not administered as nonjudicial punishment. Remove the Flag on the date the appropriate authority directs the filing of the signed memorandum (AR 600-37) or on the date the memorandum is rescinded without filing. A Flag on a Soldier who is on a HQDA promotion list may only be removed by Commander, U.S. Army Human Resources Command (AHRC-PDV-P), 1600 Spearhead Division Avenue, Department 470, Fort Knox, KY 40122-5407 or usarmy.knox.hrc.mbx.tagd-opsa@mail.mil for Active Component or USAR Soldiers or by Director, Army National Guard (HRH-I), 111 South George Mason Drive, Arlington, VA 22204-1373 for ARNG or ARNGUS personnel. This includes officers promotable to CPT through COL, warrant officers promotable to CW3 through CW5, and enlisted Soldiers promotable to SFC through SGM/CSM.

(5) *Involuntary separation or discharge*. Remove the Flag on the date HQDA or the appropriate commander approves retention of the Soldier, or on the date the Soldier is reassigned to the transition point (Active Component) or discharge orders are published (Reserve Component).

(6) Pending removal or consideration for removal (field or Headquarters Department of the Army initiated) from a command, promotion, or school selection list:

(a) *Field-initiated removal from a Headquarters, Department of the Army centralized selection list*. For enlisted Soldiers, remove the Flag on the date a decision is received from HQDA. For officers, the Flag will be removed by the Commander, HRC (AHRC-PDV-P) or the Director, ARNG (ARNG-HRP).

(b) *Field-initiated removal from a semi-centralized promotion list*. Remove the Flag on the date a decision is made by the promotion authority to retain the Soldier on the promotion list or to remove the Soldier from the promotion list.

(c) *Headquarters, Department of the Army initiated*. The HQDA agency responsible for imposing the Flag will remove the Flag upon receipt of a decision from the appropriate authority.

(d) *Soldier separated or retired before final action*. Remove the Flag on the date of separation or retirement.

(7) *Referred Officer Evaluation Report or "Relief for Cause" Noncommissioned Officer Evaluation Report*. Remove the Flag on the date the evaluation is accepted error-free by HRC or State military personnel office and uploaded into the Soldier's AMHRR. A Flag on a Soldier who is on a HQDA promotion list may only be removed by Commander, U.S. Army Human Resources Command (AHRC-PDV-P), 1600 Spearhead Division Avenue, Department 470, Fort Knox, KY 40122-5407 or usarmy.knox.hrc.mbx.tagd-opsa@mail.mil for Active Component or USAR Soldiers or by Director, Army National Guard (HRH-I), 111 South George Mason Drive, Arlington, VA 22204-1373 for ARNG or ARNGUS personnel. This includes officers promotable to CPT through COL, warrant officers promotable to CW3 through CW5, and enlisted Soldiers promotable to SFC through SGM/CSM.

(8) *Security violations*.

(a) *Security violation.* Remove the Flag upon direction of the commander at the LTC (O5) or above level, as appropriate, and notify the Commander, U.S. Army Central Personnel Security Clearance Facility.

(b) *Criminal violation.* This includes violation of Title 18 USC concerning sabotage, espionage, treason, sedition, subversion, terrorist activity, deliberate compromise of classified information, or unauthorized disclosure of classified information; violations of UCMJ, ARTs 94, 104, 106, or 106a; or offenses equivalent to those listed in this paragraph alleged as violations of UCMJ, ARTs 133 or 134. When the case is closed favorably, remove the Flag following coordination with the Commander, U.S. Army Central Personnel Security Clearance Facility. When the case is closed unfavorably, remove the Flag upon direction of the Secretary of the Army.

(c) *Security clearance.* Remove the Flag when the Soldier's security clearance is granted or reinstated; when the Soldier is reclassified into a military operational specialty that does not require a security clearance; or on the date the Soldier is reassigned to the transition point for separation.

(9) *Commander's investigation.* Remove the Flag when one of the following conditions is met:

(a) The investigation results in no adverse findings against the Soldier.

(b) The Soldier is flagged for pending court-martial or nonjudicial or administrative disciplinary action resulting from the adverse findings of the commander's investigation.

(c) The commander decides to take no action against the Soldier.

(10) *Law enforcement investigation.* Remove the Flag when one of the following conditions is met:

(a) The completed DA Form 4833 is submitted to the provost marshal or USACIDC in accordance with AR 190-45.

(b) For civilian law enforcement investigations that are not joint military investigations, the Soldier is flagged for pending court-martial, nonjudicial or administrative disciplinary action, separation, or the commander decides to take no action on substantiated findings against a Soldier.

(11) *Nonrecommendation for automatic promotion.*

(a) For automatic promotion to PV2, PFC, or SPC, remove the Flag no later than 2 working days following the date the Soldier would have been automatically promoted to PV2, PFC, or SPC.

(b) For Active Component automatic promotion to CW2 or 1LT, remove the Flag when the officer is reassigned to the transition point or, if the denial for promotion to 1LT is held in abeyance for up to 6 months, remove the Flag when the commander (LTC or higher) elects to promote the officer.

(c) For Reserve Component automatic promotion to CW2 or 1LT, remove the Flag when the officer meets the requirements of a satisfactory participant and meets the military educational requirements.

(12) *Lautenberg Amendment.* Remove the Flag when conviction is expunged, pardoned, or set aside by competent authority, or when the Soldier is reassigned to the transition point for separation (Active Component) or discharge orders are published (Reserve Component).

(13) *Family care plan.* Remove the Flag when the Family care plan is approved or recertified by the commander or when the Soldier is reassigned to the transition point for separation (Active Component) or discharge orders are published (Reserve Component).

(14) *Army Medical Department personnel not in compliance with AR 40-68.* Remove the Flag on the date of compliance, date of reclassification, or date of separation.

(15) *Noncompliance with 10 USC 10206, Members: physical examinations (Reserve Components) (Flag code X).* Remove the Flag on date of compliance, ETS, ESA, or mandatory retirement date/mandatory release date.

(16) *Punishment phase.* Remove the Flag when punishment is complete, to include any period of suspension, probation, or parole.

(17) *Army Physical Fitness Test.* Remove the Flag on the date the Soldier passes the record APFT.

(18) *Noncompliance with the Army Weight Control Program.* Remove the Flag on date of compliance. The date a Soldier completed a previous weight control program remains on the Flag report for 36 months. If a primary care provider determines that the Soldier became pregnant prior to being entered into the AWCP, the commander will close the Flag using codes KZ, not KE.

**Table 2–2
Report Codes**

Code	Report
A	Initial report.
B	Transferable report (ARNG only).
C	Final report—favorable. This report is prepared when— a. Investigation finds no substantiated findings. b. Charges are dropped, Soldier is exonerated, or no disciplinary action is taken.
D	Final report—unfavorable. This report is prepared when— a. The investigation finds substantiated charges. b. The punishment is completed. Punishment includes, but is not limited to forfeiture of pay, suspension, parole, probation, or memorandum of reprimand (local and AMHRR filed).
E	Final report—other. This report is prepared when— a. Soldier flagged for noncompliance with the AWCP, AR 600–9, subsequently meets the AWCP requirements. b. Soldier flagged for APFT failure passes the record APFT. c. Commander’s decision to block automatic promotion is removed. d. Soldier has an approved Family care plan. e. Soldier meets the requirements of 10 USC 10206. NOTE: Do not use this code to close an erroneous Flag.
Z	Erroneous Report. Use this code to close erroneous Flags.

2–10. Records management

- a.* Units will maintain the following:
- (1) DA Form 268 and supporting documentation on active Flags for all Soldiers within their unit.
 - (2) Current suspension of favorable action report signed by the unit commander with required changes annotated. Report must also be signed by the BN commander if the report contains Flags over 6 months old.
 - (3) DA Form 268 (initiating and removing Flag) with supporting documentation on all closed Flags for 1 year.
 - (4) DA Form 268 with supporting documentation for 1 year on all Soldiers who separate, retire, or are discharged while flagged.
- b.* BN S1s and MPDs (for non-Personnel Service Delivery Re-design units within their jurisdiction) will maintain current suspension of favorable action report signed by the unit commander for all assigned and attached units. Reports must also be signed by BN commander if the report contains Flags over 6 months old. File should contain supporting documents for annotated changes on the report.
- c.* DA Form 268 will not be filed in the AMHRR except as an allied document to disciplinary, separation, or other actions.

Chapter 3 Prohibitions and Retention of Flagged Personnel

3–1. Actions prohibited by a Flag

- A properly imposed Flag prohibits the following personnel actions unless otherwise specified in this regulation:
- a.* Appointment, reappointment, reenlistment, or extension unless authorized by AR 601–280, AR 135–180, AR 135–205, or AR 140–111.
- b.* Reassignment with the following exceptions (see para 2–8 for additional guidance):
- (1) HRC Personnel Management Directorates (AHRC–OPZ (officer) and AHRC–EPZ (enlisted)) may approve waivers for reassignment requests on a case-by-case basis (not to be delegated below the directors). Directorates must coordinate with HRC promotions branch prior to approving waivers for Soldiers on a centralized DA promotion list.
 - (2) Commanders (ACOMs, ASCCs, and DRUs), in coordination with installation commanders, USAR regional commanders, or state adjutants general may deem reassignment necessary for the purpose of maintaining good discipline, morale, or unit order. Soldier must be reassigned within the same installation or command. Soldiers with a nontransferable Flag may not be reassigned into the individual ready reserve or inactive National Guard.
 - (3) When a Soldier is returned to military control after being dropped from the rolls in accordance with AR 630–10.
 - (4) When a Flag remains in place because a Soldier is undergoing punishment based on a court-martial, civilian criminal trial, or nonjudicial proceedings under UCMJ, ART 15, and the punishment or sentence does not include

confinement, restraint, or geographical travel restrictions imposed by civilian courts as a condition of parole, probation, or suspended sentence.

(5) When a Soldier is flagged solely based on APFT failure or for enrollment in the AWCP.

(6) Family members travel (when the sponsor is overseas) at Government expense to an overseas command due to PCS.

(7) Command sponsorship of Family members (when the sponsor is overseas) at Government expense or to an overseas command due to PCS.

c. Appearance before a semi-centralized promotion board (AR 600–8–19).

d. Promotions in grade, lateral appointments, and frocking (AR 600–8–19, AR 600–8–29, and AR 135–155).

e. Recommendation for, and receipt of, individual awards and decorations. Exceptions to this policy are outlined in AR 600–8–22.

f. Attendance at military or civilian schools. The waiver approval authority for attendance at military or civilian schools is the DCS, G–3/5/7 (DAMO–TR).

(1) For enlisted Soldiers, military schools include, but are not limited to, Noncommissioned Officer Education System courses and functional area and skill qualification training. This does not include basic combat training, advanced individual training, and one-station unit training.

(2) For officers, military schools include Officer Education System courses and functional area and skill specialty training courses. The Basic Officer Leader courses are not included.

(3) Civilian schools are defined as those post-secondary and technical courses, fully or partially funded by the Army, in which the Soldier participates on a full- or part-time basis (such as undergraduate and graduate degree completion program, tuition assistance payment program, and other professional development programs). This does not apply to off-duty education courses that are fully funded at personal expense.

(4) Soldiers enrolled in professional military or civilian schools who subsequently enter into the AWCP may, provided otherwise qualified, continue their course of study while in the AWCP.

g. Unqualified resignation, retirement, or discharge (AR 635–200 and AR 600–8–24).

(1) Unless otherwise prohibited, commissioned and warrant officers may submit a request for unqualified resignation, discharge, or retirement for consideration by HQDA (or the appropriate regional commander) while flagged. However, officers flagged for a Promotion Review Board may not apply for unqualified resignation, retirement, or discharge until their promotion status is resolved (AR 600–8–24).

(2) Enlisted Soldiers who are flagged may submit retirement applications to be considered on a case-by-case basis by the retirement approval authority (AR 635–200).

(3) USAR Soldiers (officer and enlisted), if qualified, may request reassignment to the Retired Reserve. Such requests will be considered on a case-by-case basis (AR 140–10).

h. Advance or excess leave, unless granted as an exception to policy by commanders in accordance with AR 600–8–10.

i. Payment of enlistment bonus or selective reenlistment bonus (AR 601–280). USAR Soldiers will not be processed for initial or anniversary payments while flagged except as authorized by AR 601–210.

j. Assumption of command (AR 600–20).

3–2. Retention beyond expiration of terms of service or mandatory retirement date

Soldiers will not be retained beyond their normal ETS, ESA, maximum years of service, or mandatory retirement date/mandatory release date solely because they are flagged. For Soldiers who are flagged and whose cases cannot be completed prior to separation, retention must be in accordance with AR 27–10, AR 600–8–24, AR 635–200, or AR 140–30.

Appendix A References

Section I Required Publications

AR 27-1

Judge Advocate Legal Services (Cited in para para 2-2o.)

AR 27-10

Military Justice (Cited in paras 2-3a, 3-2.)

AR 27-26

Army Rules of Professional Conduct for Lawyers (Cited in para 2-2o.)

AR 40-68

Clinical Quality Management (Cited in paras 2-2m, 2-9b(14).)

AR 135-175

Separation of Officers (Cited in para 2-2d.)

AR 135-178

Enlisted Administrative Separations (Cited in para 2-2d.)

AR 135-180

Qualifying Service for Retired Pay Nonregular Service (Cited in para 3-1a.)

AR 135-205

Enlisted Personnel Management (Cited in para 3-1a.)

AR 140-10

Assignments, Attachments, Details, and Transfers (Cited in para 3-1g(3).)

AR 140-30

Active Duty in Support of the United States Army Reserve (USAR) and Active Guard Reserve (AGR) Management Program (Cited in para 3-2.)

AR 140-111

U.S. Army Reserve Reenlistment Program (Cited in para 3-1a.)

AR 190-45

Law Enforcement Reporting (Cited in paras 2-2b, 2-9b(10)(a).)

AR 350-1

Army Training and Leader Development (Cited in para 2-3b.)

AR 380-5

Department of the Army Information Security Program (Cited in para 2-2g(1).)

AR 380-67

Personnel Security Program (Cited in paras 2-2g(3), 2-7d.)

AR 381-12

Threat Awareness and Reporting Program (Cited in para 2-2g(1).)

AR 600-8

Military Personnel Management (Cited in para 1-1.)

AR 600-8-10

Leaves and Passes (Cited in para 3-1h.)

AR 600–8–19

Enlisted Promotions and Reductions (Cited in paras 2–2c(2), 2–2j(1), 3–1c, 3–1d.)

AR 600–8–22

Military Awards (Cited in para 3–1e.)

AR 600–8–24

Officer Transfers and Discharges (Cited in paras 2–2d, 3–1g, 3–2.)

AR 600–8–29

Officer Promotions (Cited in paras 2–2j(2), 3–1d.)

AR 600–9

The Army Weight Control Program (Cited in para 2–3c and table 2–2.)

AR 600–20

Army Command Policy (Cited in paras 2–2k, 2–2l, 3–1j.)

AR 600–37

Unfavorable Information (Cited in para 2–9b(4).)

AR 600–63

Army Health Promotion (Cited in para 2–1f(3).)

AR 600–85

The Army Substance Abuse Program (Cited in paras 2–2h, 2–2i.)

AR 601–280

Army Retention Program (Cited in paras 3–1a, 3–1i.)

AR 614–200

Enlisted Assignments and Utilization Management (Cited in para 2–2g(3).)

AR 630–10

Absence Without Leave, Desertion, and Administration of Personnel Involved in Civilian Court Proceedings (Cited in paras 2–2c(4), 3–1b(3).)

AR 635–200

Active Duty Enlisted Administrative Separations (Cited in paras 2–2d, 3–1g, 3–2.)

DA Pam 600–24

Health Promotion, Risk Reduction, and Suicide Prevention (Cited in paras 2–1f(3), C–4a(2), C–4d(5).)

Section II**Related Publications**

A related publication is a source of additional information. The user does not have to read a related publication to understand this publication. Army publications are available on the Army Publishing Directorate Web (APD) site at <http://www.apd.army.mil>. Department of Defense publications are available at <http://www.dtic.mil/whs/directives>. United States Codes are available at <http://www.gpoaccess.gov/uscode>. National Guard regulations are available at <http://www.ngbdc.ngb.army.mil>.

AR 15–6

Procedures for Investigating Officers and Boards of Officers

AR 20–1

Inspector General Activities and Procedures

AR 135–155

Promotion of Commissioned Officers and Warrant Officers Other than General Officers

AR 190–30

Military Police Investigations

AR 195–2

Criminal Investigation Activities

AR 600–8–101

Personnel Processing (In-, Out-, Soldier Readiness, Mobilization and Deployment Processing)

AR 600–8–104

Army Military Human Resource Records Management

AR 601–210

Active and Reserve Components Enlistment Program

AR 623–3

Evaluation Reporting System

DOD 6025.13–R

Military Health System Clinical Quality Assurance Program Regulation

FM 1–0

Human Resources Support

Lautenberg Amendment

Gun Control Act of 1968 (GCA) Title 18, U.S.C. Chapter 44, 922(g)(9), Pub.L. 104-208

NGR 600–85

Drug Abuse Prevention and Control

NGR 600–200

Enlisted Personnel Management

NGR 614–1

Inactive Army National Guard

NGR 635–101

Efficiency and Physical Fitness Boards

Rule for Courts–Martial 109

Professional supervision of military judges and counsel

Rule for Courts–Martial 303

Degrading questions

Rule for Courts–Martial 1209

Finality of courts-martial

USAR Pam 600–5

Personnel Actions Guide for Army Reserve Units

10 USC 1102

Confidentiality of medical quality assurance records: qualified immunity for participants

10 USC 3037

Judge Advocate General, Deputy Judge Advocate General, and general officers of Judge Advocate General's Corps: appointment; duties

10 USC 10206

Members: physical examinations

Section III Prescribed Forms

Unless otherwise indicated, DA forms are available on the Army Publishing Directorate (APD) Web site (<http://www.apd.army.mil>).

DA Form 268

Report to Suspend Favorable Personnel Actions (FLAG) (Prescribed in paras 1-4i(3)h, 1-9a, 2-1f(1), 2-1f(5), 2-1h, 2-5, 2-6, 2-7a, 2-8a, 2-9a(2), 2-9a(4), 2-10a, 2-10c, C-4.)

Section IV Referenced Forms

Unless otherwise indicated, DA forms are available on the APD Web site (<http://www.apd.army.mil>).

DA Form 11-2

Internal Control Evaluation Certification

DA Form 67-9

Officer Evaluation Report

DA Form 705

Army Physical Fitness Test Scorecard

DA Form 2028

Recommended Changes to Publications and Blank Forms

DA Form 2166-8

NCO Evaluation Report

DA Form 4833

Commander's Report of Disciplinary or Administrative Action

DA Form 4856

Developmental Counseling Form

DA Form 5123

In- and Out- Processing Records Checklist

DA Form 5305

Family Care Plan

Appendix B
Suspension of favorable actions flow charts

Initiate a Flag (para 2-7)

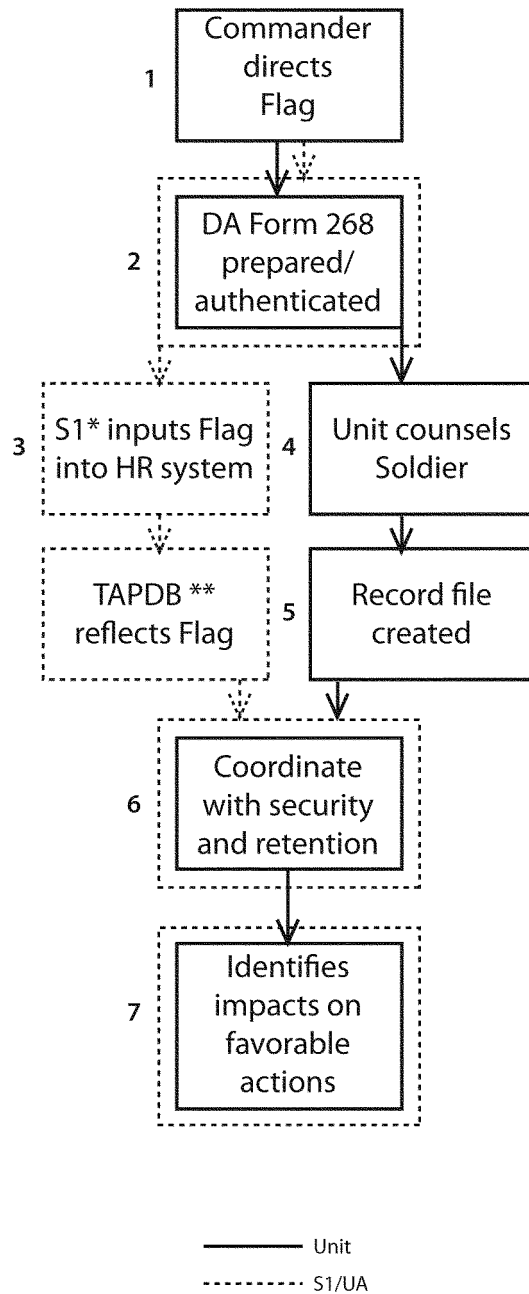


Figure B-1. Initiate a Flag

-
- Step 1:** Commander identifies a requirement for a Flag (para 2-2 or 2-3); directs unit personnel or S1 to prepare a DA Form 268; and provides supporting documentation.
- Step 2:** Unit/S1 prepares DA Form 268 for commander's signature/authentication (para 2-5); S1 validates Flag accuracy with supporting documentation.
- Step 3:** S1 initiates Flag in HR system; system updates Total Army Personnel Database (TAPDB).
- Step 4:** Commander or supervisor counsels Soldier on reason for the Flag, requirements for removal and actions prohibited by the Flag; provides Soldier with a copy of the DA Form 268 (para 2-6).
- Step 5:** Unit maintains a copy of signed Flag, supporting documentation, and counseling for Flag records management (para 2-10).
- Step 6:** Unit/S1 notifies security manager/S2 and career counselor of Flag for their assessment of security clearance and reenlistment eligibility.
- Step 7:** Unit/S1 assesses Flag impact on pending favorable actions (PCS/ETS; awards; schools; promotion, and so forth). Advises commander to act quickly if PCS/ETS is pending; determines if orders need to be revoked or revised. Determines promotion status: does Flag result in removal from a semi-centralized promotion list or coordination with HRC for Flag removal? (chap 3).
- * **Note:** All tasks identified for S1 may be performed by S1 personnel or unit administrator (UA).
- ** **Note:** HRC/NGB has visibility on all Flags posted to TAPDB until Flag is closed. HRC/NGB verifies Soldier's Flag status when processing personnel actions (awards, retirements, schools, assignments, promotion) .

Figure B-1. Initiate a Flag—continued

Remove a Flag (para 2-9)

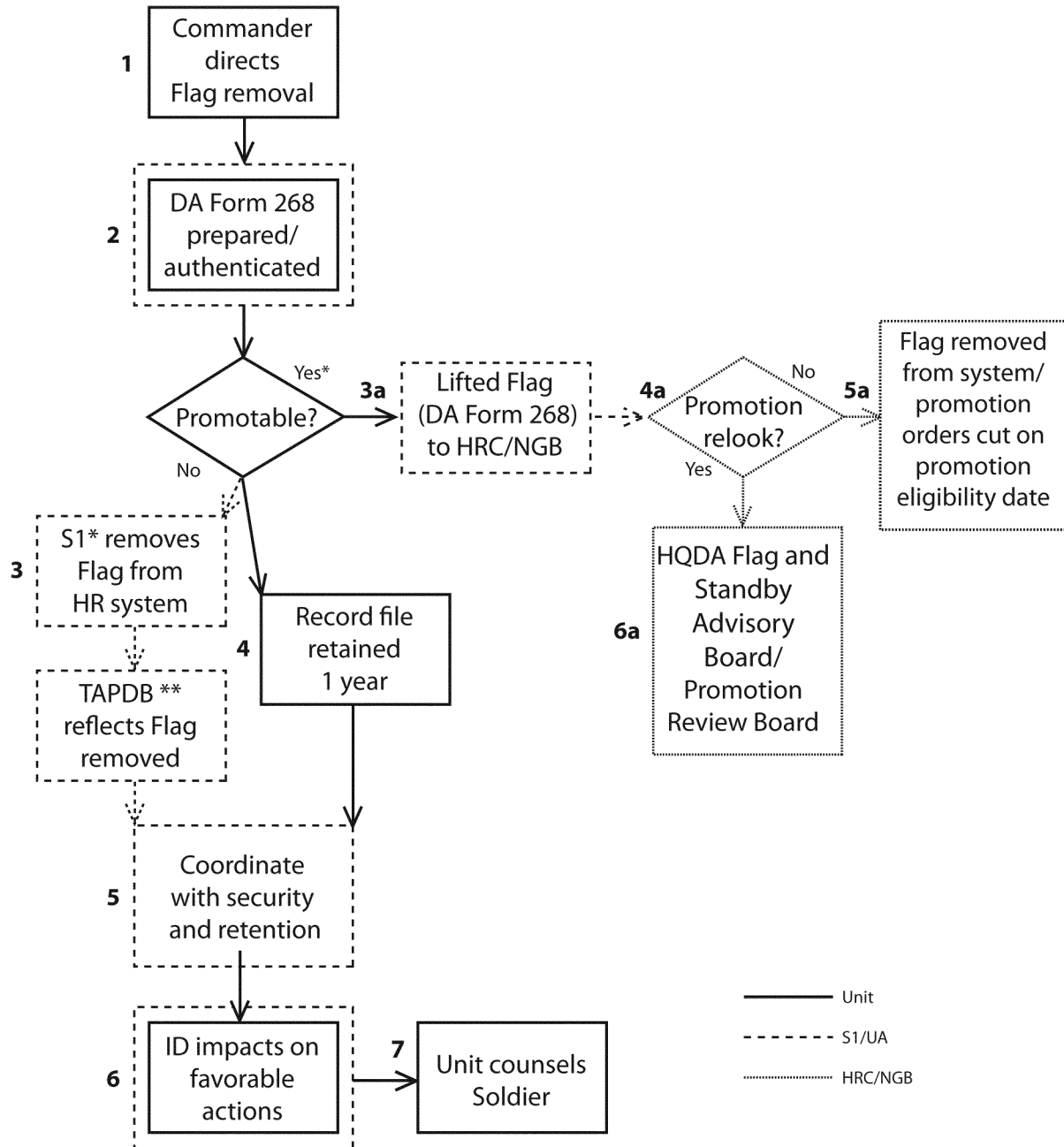


Figure B-2. Remove a Flag

Step 1: Commander identifies a requirement to lift a Flag (para 2-9b); directs unit personnel or S1 to prepare a DA Form 268; and provides supporting documentation.

Step 2: Unit/S1 prepares DA Form 268 for commander's signature/authentication (para 2-5); S1 validates accuracy of lifting the Flag with supporting documentation.

If Soldier is not on a DA promotion list (centralized promotion list):

Step 3: S1 removes Flag form HR system; system updates TAPDB.

Step 4: Unit maintains a copy of Flag record (signed DA Form 268 initiating and removing the Flag, supporting documentation, and counseling documents) for 1 year (para 2-10).

Step 5: Unit/S1 notifies security manager/S2 and career counselor of Flag removal for their assessment of security clearance and reenlistment eligibility.

Step 6: Unit/S1 assesses Flag removal impact on favorable actions on hold (PCS/ETS, awards, schools, promotion, and so forth). Determines promotion status: does Flag result in removal from a semi-centralized promotion list or coordination with HRC for Flag removal?

Step 7: Commander or supervisor counsels Soldiers on reason for lifting the Flag, actions now authorized with Flag removal, and impact if re-flagged (for example, weight control); provides Soldier a copy of the DA Form 268.

* **Note:** All tasks identified for S1 may be performed by S1 personnel or UA.

If Soldier is on a DA promotion list (centralized promotion list):

** **Note:** S1s must verify in paragraph 2-9b if the applicable Flag type must be removed by HRC/NGB. If HRC/NGB removal is not required, go to step 3. If HRC/NGB removal is required, go to step 3a. Steps below performed by HRC promotions branch will be performed by NGB for ARNG officers

Step 3a: S1 sends the DA Form 268 lifting the Flag with supporting documentation to HRC promotions branch without lifting the Flag in the HR systems.

Step 4a: Upon receipt of close-out Flag with supporting documentation, HRC promotions branch determines if the results of the Flag warrant the Soldier's promotion status receiving a reconsideration.

Step 5a: If promotion reconsideration is not warranted, HRC will remove the Flag from the TAPDB and will publish promotion orders on promotion eligibility date.

Step 6a: If promotion reconsideration is warranted, HRC will initiate a HQDA Flag for "Removal from a selection list" (code F) and initiate a Promotion Review Board or Standby Advisory Board for promotion reconsideration. HRC will then authorize the unit to lift the locally initiated Flag from the HR system.

Figure B-2. Remove a Flag—continued

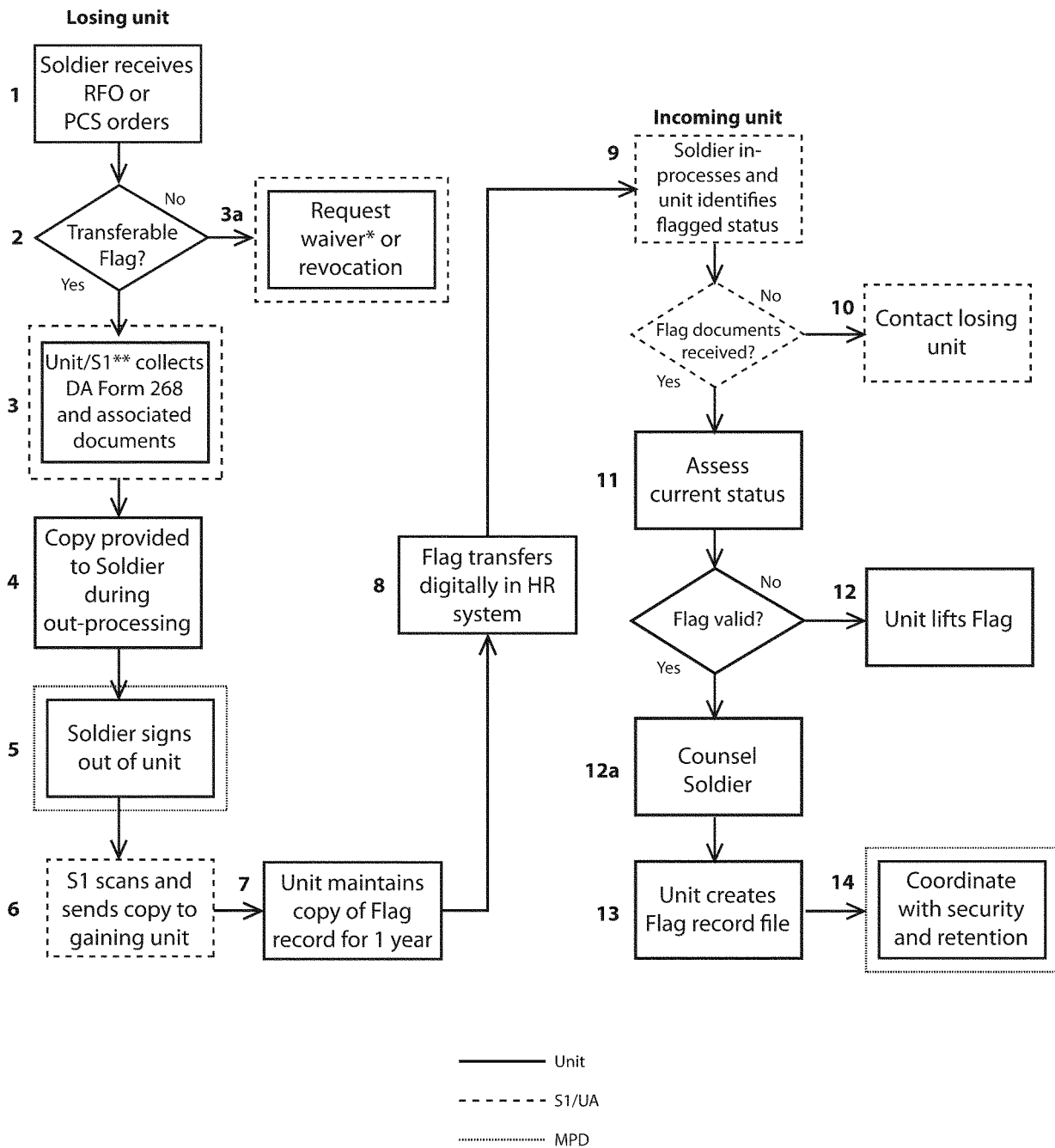


Figure B-3. Transfer a Flag

-
- Step 1:** Soldier is issued a request for orders (RFO) or PCS orders.
- Step 2:** Unit/S1 identifies if Soldier is flagged and if the Flag is transferable (paras 2-1 and 2-2).
- Step 3a:** If Flag is nontransferable, unit/S1 assesses situation and requests a waiver for Soldier to PCS, a delay of report date, or a revocation of PCS orders (para 3-1b). *Note: If Soldier is on a HQDA centralized promotion list, waiver must receive prior approval of HRC promotions branch (2-8e).
- Step 3:** If Flag is transferable (or waiver approved), unit/S1 collects DA Form 268 initiating the Flag and all associated and supporting documents (APFT cards, body fat worksheets, counseling statements, punishment directives, and so forth).
- Step 4:** Unit will provide Soldier with a copy of DA Form 268 and supporting documents during out-processing; unit will annotate documents on DA Form 5123 (In- and Out-Processing Records Checklist).
- Step 5:** The MPD will verify transferable Flag and supporting documents during Soldier's final out (para 1-4i).
- Step 6:** S1 will scan DA Form 268 and supporting documents and email to gaining unit.
- Step 7:** Unit maintains a copy of the Flag record (signed DA Form 268 initiating the Flag, supporting documentation, and counseling documents) for 1 year (para 2-10).
- Step 8:** Flag is digitally transferred to the Soldier's new unit by the HR system.
- Step 9:** Upon in-processing to the new unit, Soldier's Flag is visible to the unit in the Soldier's digital record and reflected on the unit's Flag report. The unit identifies if the Flag documents have been received from the losing unit.
- Step 10:** If Flag documents have not been received, the S1 contacts the losing unit requesting a copy; if they are not available the unit must initiate a new record (APFT and/or weight control packet, DA Form 4856, and DA Form 268).
- Step 11:** Unit validates accuracy of Flag with supporting documentation from losing unit and/or new documents upon in-processing (for example, new APFT or body fat worksheet) and maintains a copy of signed Flag and supporting documentation for Flag records.
- Step 12:** If Flag is no longer valid, the unit will initiate removal of Flag.
- Step 12a:** If Flag is still valid, the commander or supervisor re-counsels Soldier on reason for the Flag, requirements for removal, and actions prohibited by the Flag and provides Soldier a copy of the DA Form 268.
- Step 13:** Unit maintains a copy of signed Flag, supporting documentation, and counseling for Flag records management (para 2-10).
- Step 14:** S1 notifies S2 and career counselor of Flag for their assessment of security clearance and reenlistment eligibility; assesses Flag impact on pending favorable actions (retirement/ETS; awards; schools; promotion, and so forth).

**** Note:** All tasks identified for S1 may be performed by S1 personnel or UA.

Figure B-3. Transfer a Flag—continued

Unit Flag Management

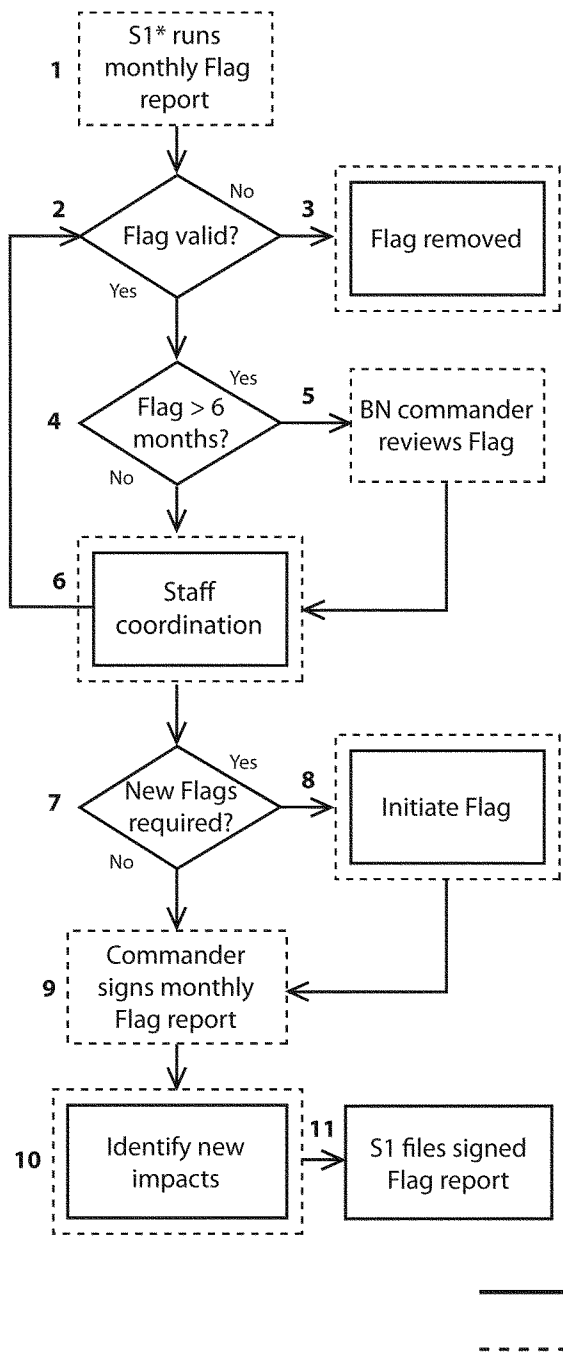


Figure B-4. Unit Flag management

Flag oversight

Brigade S1s

- Organizational Inspection Program
- Internal Control Evaluations
- Command & Staff
- Reconcile Flag reports with Judge Advocate General, career counselor, S2, or S1

G-1s

- Reconcile with USACIDC and ASAP rosters
- Internal Control Evaluations
- No PCSs with non-transferable Flags
- Transferable Flags forwarded to gaining command
- Flags in Soldier Risk Reduction Program

-
- Step 1:** S1 runs Flag report monthly and provides to unit commander.
- Step 2:** Unit commanders validates all Flags on Flag report and identifies any Soldier who should be flagged or should have Flags removed. If the Flag is still valid, unit/S1 continues to monitor monthly (minimum).
- Step 3:** If Flag is no longer valid, unit/S1 initiates Flag removal.
- Step 4:** Unit commander identifies any Flags that are over 6 months old and forwards Flag with supporting documentation to BN commander for validation.
- Step 5:** Battalion commander reviews and validates all Flags over 6 months old (para 1-9b).
- Step 6:** Unit/S1 coordinates with staff sections to verify that all Flags are valid and to identify any Soldiers who should be flagged. Staff sections include: training (APFT, AWCP); legal (investigations, adverse action, separations); S2 (security violations); ASAP (drug and alcohol violations); and S1 (evaluations, Family care plans). Coordination with staff also includes situational awareness of additions and removals with career counselor (reenlistment eligibility), S1 (promotion eligibility), and S2 (security clearances) (para 2-7c).
- Step 7:** Commander identifies any Soldier who should be flagged.
- Step 8:** Unit initiates identified missing Flag; S1 enters Flag into HR system.
- Step 9:** Unit commander signs Flag report validating active Flags and annotating all changes; submits any DA Forms 268 removing and/or initiating Flags (para 1-9b). Battalion commander also signs, if any Flag on the report is over 6 months old (para 1-9b).
- Step 10:** Unit/S1 assesses if there are any new impacts on favorable actions for flagged Soldiers (PCS/ETS; retirements, awards; promotion, schools, assignments, and so forth) (chap 3).
- Step 11:** S1 files Flag report signed by the commander until superseded by next month's report (para 2-10).
- * **Note:** All tasks identified for S1 may be performed by S1 personnel or UA. ARNG Flag reports are provided by the State's Military Personnel Mangement Office.

Figure B-4. Unit Flag management—continued

Appendix C Internal Control Evaluation

C-1. Function

The function covered by this evaluation is the management of suspension of favorable personnel actions (Flag).

C-2. Purpose

The purpose of this evaluation is to assist commanders, S1s, G-1s, and installation MPDs in evaluating the key internal controls listed below. It is not intended to cover all controls.

C-3. Instructions

Answers must be based on actual testing of key internal controls (for example, document analysis, direct observation, interviewing, sampling, simulation, or other). Answers that indicate deficiencies must be explained and the corrective action identified in supporting documentation. These internal controls must be evaluated at the BN and unit level at least once every 2 years and at the BDE, division, corps, installation, USAR regional support commands, and ARNG state adjutant general levels at least once every 5 years. Certification that the evaluation has been conducted must be accomplished on DA Form 11-2 (Internal Control Evaluation Certification).

C-4. Test questions

a. Unit commanders.

- (1) Are procedures in place to ensure only those with a “need to know” of a Flag are informed?
- (2) Are commanders including Flag data into their Soldier Risk Reduction Program in accordance with DA Pam 600-24?
- (3) Are procedures in place to ensure favorable actions are not granted when prohibited by this regulation?
- (4) Are commanders initiating a Flag in a timely manner when a Soldier is under investigation or when a Soldier’s status changes from favorable to unfavorable?
- (5) Are separate Flags being initiated for each incident or action against a Soldier?
- (6) Is the DA Form 268 being properly prepared and authenticated by the unit commander and submitted to the S1 with supporting documents for input into HR systems?
- (7) Is the flagging authority, commander, or first line supervisor counseling all flagged Soldiers on the reason for the Flag, requirements for Flag removal, and actions prohibited by the Flag?
- (8) Are commanders reviewing each Flag and Flag report monthly to ensure each Flag is valid and that all Soldiers that should be flagged are flagged (APFT, AWCP, investigation, legal, ASAP, and so forth)?
- (9) After reviewing the Flag report, are commanders submitting required updates to the S1 with supporting documentation in a timely manner?
- (10) Are commanders removing a Flag in a timely manner when a Soldier’s status changes from unfavorable to favorable?
- (11) Are original DA Forms 268 being retained for 1 year for each Flag closed and filed with supporting documents?

b. Battalion commanders and/or adjutants.

- (1) Are procedures in place to ensure favorable actions are not granted when prohibited by this regulation?
- (2) Are S1s printing Flag reports monthly for unit commanders’ review and signature?
- (3) Are procedures in place to reconcile Flag reports with the following staff sections?
 - (a) Judge Advocate (investigations, adverse actions, separations).
 - (b) Retention NCO (retain codes).
 - (c) S2 (security violations, suspension of clearances).
 - (d) ASAP (drug and alcohol offenses).
 - (e) S1 (evaluations, promotions, Family care plans).
- (4) Is the S1 validating accuracy of DA Form 268 with supporting documentation?
- (5) Is the S1 inputting Flags into and removing Flags from the HR systems in a timely manner?
- (6) Are procedures in place to ensure Flags are not removed by the unit on Soldiers who are on a HQDA (centralized) promotion list without approval of HRC?
- (7) Are procedures in place to ensure Soldiers do not PCS or separate with nontransferable Flags?
- (8) Are procedures in place to ensure transferable Flags and supporting documentation are transferred to the Soldier’s gaining installation?
- (9) Are BN commanders reviewing and validating all Flags over 6 months?

c. Brigade commanders and/or adjutants and military personnel divisions.

- (1) Are procedures in place to provide oversight of Flag management (Organization Inspection Program, command and staff, and so forth)?

- (2) Are procedures in place to ensure favorable actions are not granted when prohibited by this regulation?
- (3) Are procedures in place to reconcile Flag reports with the following staff sections?
 - (a) Judge Advocate (investigations, adverse actions, separations).
 - (b) Retention NCO (retain codes).
 - (c) S2 (security violations, suspension of clearances).
 - (d) ASAP (drug and alcohol offenses).
 - (e) S1 (evaluations, promotions, Family care plans).
- d. *Deputy Chief of Staff, G-1, installation adjutant generals, state adjutants general, or regional personnel service centers.*
 - (1) Are procedures in place to provide oversight of Flag management?
 - (2) Are procedures in place to reconcile Flag rosters with installation USACIDC investigations and ASAP violations?
 - (3) Are procedures in place to ensure Soldiers do not PCS or separate with nontransferable Flags?
 - (4) Are procedures in place to ensure transferable Flags and supporting documentation are transferred to the Soldier's gaining installation?
 - (5) Are installations including Flag data into their Soldier Risk Reduction Program in accordance with DA Pam 600-24?

C-5. Superession.

This evaluation does not replace any previous evaluation.

C-5. Comments

To help improve this review tool, submit comments to Commander, U.S. Army Human Resources Command (AHRC-PDV-P), 1600 Spearhead Division Avenue, Department 470, Fort Knox, KY 40122-5407 or usarmy.knox.hrc.mbx.tagd-opsa@mail.mil.

Glossary

Section I Abbreviations

AGR

active guard reserve

AMEDD

Army Medical Department

AMHRR

Army Military Human Resource Record

APFT

Army Physical Fitness Test

ARNG

Army National Guard

ARNGUS

Army National Guard of the United States

ART

article

ASAP

Army Substance Abuse Program

AWCP

Army Weight Control Program

AWOL

absent without leave

BDE

brigade

BN

Battalion

CAR

Chief, Army Reserve

COL

colonel

CPT

captain

CSM

command sergeant major

CW2

chief warrant officer two

CW3

chief warrant officer three

CW5

chief warrant officer five

DA

Department of the Army

DOD

Department of the Defense

DCS

Deputy Chief of Staff

ESA

expiration of service agreement

ETS

expiration term of service

Flag

suspension of favorable personnel action

HQDA

Headquarters, Department of the Army

HR

human resources

HRC

U.S. Army Human Resources Command

LTC

lieutenant colonel

NGB

National Guard Bureau

MOS

military occupational specialty

MPD

military personnel division

NCO

noncommissioned officer

NGR

National Guard regulation

PCS

permanent change of station

PFC

private first class

PV2

private enlisted two

S1

adjutant

S2

intelligence officer

SFC

sergeant first class

SGM

sergeant major

SPC

specialist

UCMJ

Uniform Code of Military Justice

USACIDC

U.S. Army Criminal Investigation Command

USAR

U.S. Army Reserve

USC

United States Code

1LT

first lieutenant

Section II**Terms****Active Army**

Consists of active duty personnel who are to be paid from funds appropriated for active duty personnel. Exclusions include:

- a.* Soldiers ordered to active duty under authority for a partial mobilization or a Presidential selected reserve call-up.
- b.* Soldiers of the ARNG/ARNGUS ordered to active duty under selective mobilization authority.
- c.* Soldiers of the ARNG/ARNGUS or USAR on active duty for training and Soldiers of the ARNG and USAR on active duty for 180 days or less.

Active duty

Full-time duty in the active military Service of the United States. This includes full-time training duty, annual training duty, and attendance while in the active military Service, at a school designated a Service by law or by the Secretary of the military department concerned. Excluded is full-time National Guard duty.

Commander

A head of an Army staff or field operating agency or an officer with the position title “commander” or “commandant.”

Commander’s inquiry

A preliminary inquiry into a suspected offense, as defined by Rule for Courts-Martial 303 in the Manual for Courts-Martial. This rule provides commanders with the authority to conduct basic inquiries or more extensive investigations, as needed, to fulfill the commander’s obligation to investigate and dispose of offenses in compliance with the UCMJ. As used in this regulation, commander’s inquiry is meant to be broadly interpreted to include any inquiry into charges or suspected offenses made or ordered by a commander.

Flag

Suspension of favorable personnel action.

Frocking

Commissioned officer or NCO selected for promotion wearing the insignia of the higher grade before the official date of promotion. An officer or NCO who has been selected for promotion may be authorized to “frock” to the next grade.

Military police

Any type of DOD (to include other Services), U.S. Army police, or security forces responsible for performing law enforcement or security on military installations.

Not in good standing

See Unfavorable status.

Personnel security investigation

Determines a person's eligibility for access to classified information, assignment, or retention in sensitive duties, or other designated duties requiring such investigations.

Policy

General statement governing objectives of a functional area (within the purview of the Office of the DCS for personnel policy proponent).

Procedure

A number of tasks grouped together.

Respondent

A person designated by a board, pursuant to AR 15–6, to be involved in an incident or event under investigation in such a way that disciplinary action may follow, the person's rights or privileges may be adversely affected, or the person's reputation or professional standing may be jeopardized.

Subject

A person involved in an incident or event under investigation in such a way that disciplinary action may follow, the person's rights or privileges may be adversely affected, or the person's reputation or professional standing may be jeopardized. Although subject and suspect are often used interchangeably, the subject of an investigation may not be suspected of violating a criminal law, but rather failure to comply with a duty, obligation, regulation, or other requirement that could result in adverse action.

Substantiated

When a commander, investigating officer, or law enforcement officer determines that there is sufficient evidence to believe a Soldier has committed a criminal offense (usually probable cause) or a Soldier has failed to comply with a duty, obligation, regulation, or other requirement.

Suspect

A person about whom some credible information exists to believe that the person committed a particular criminal offense.

Task

The major subdivision of a function or sub-function or the lowest level of work that has meaning to the doer. This subdivision has a beginning, an ending, and can be measured.

Unfavorable status

When Soldiers are not cleared for movement, permanent or temporary, and/or not cleared to receive an award or decoration. This includes Soldiers currently under the UCMJ process (to include ART 15 procedures and courts-martial procedures), investigations, and Soldiers failing to meet Army standards for retention (to include APFT failure and AWCP).

Unit

An organization, agency, or activity.

Work center

Clearly defined organization element recognized as the basis for manpower requirements.

Section III**Special Abbreviations and Terms**

This section contains no entries.

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