

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 9 September 2025

DOCKET NUMBER: AR20240012432

APPLICANT REQUESTS:

- correction of his date of rank to lieutenant colonel (LTC)/O-5 from 1 February 2024 to 2 June 2023
- active duty pay and allowances from June to September 2023 and January 2024 as a LTC/O-5
- a personal appearance before the Board

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

- DD Form 149 (Application for the Correction of Military Record)
- Email correspondence (23 pages) in support of his claim showing various emails pertaining to his notification for Fiscal Year (FY) 2023 LTC Promotion Selection Board Department of the Army (DA) Board and multiple correspondence referencing different positions (or excess slots)
- Memorandum, Notification of FY23 DA Board Selection, dated 14 June 2023 showing his recommendation for promotion as a Reserve Commissioned Officer and referencing his four choices of: promotion, delay, declination, or transfer.
- FY23 Reserve Component (RC) LTC Army Promotion List (APL) Promotion Selection Board Results with a release date of 14 June 2023
- Memorandum for Record (3 pages) from the applicant dated 1 February 2024 in support of his claim describing his chronology of promotion timeline showing he was selected for promotion to LTC in June 2023 but faced delays due to being in an excess slot, which prevented his packet submission; despite repeated efforts and regulatory support, his reassignment was only approved after the assignments council met in September 2023; he was finally promoted on 1 February 2024 after mobilizing and receiving a valid position assignment
- DA Form 1559 (Inspector General Request) dated 24 June 2024 showing in 2020, the Pennsylvania Army National Guard (PAARNG) placed him in an "excess" slot without warning, which later blocked his promotion to LTC despite being selected in 2023. Efforts to be reassigned were delayed by internal resistance and bureaucratic hurdles. A steering committee finally approved the move in 2024, contingent on medical clearance and deployment. The delay cost

him months of pay, time in grade, and jeopardized his future promotion eligibility before mandatory retirement.

- Pennsylvania Inspector General (PAIG) Email Correspondence with National Guard Regulation (NGR) 600-100 (Commissioned Officers Federal Recognition and Related Personnel Actions) Enclosure dated 29 August 2024 in support of his claim showing the PAIG confirmed his promotion delay was valid, and he was eligible for LTC as of 2 June 2023 under NGR 600-100 para 8-16c. However, the PAIG and PAARNG lack authority to adjust his Date of Rank, referring him to the Army Board for Correction of Military Records (ABCMR).

FACTS:

1. The applicant states that despite being eligible for over-grade promotion to LTC in June 2023, the PAARNG denied reassignment from an excess slot, which delayed his promotion until February 2024. This caused him a loss of pay, time in grade, and jeopardized future promotion to colonel before his mandatory retirement date. The PAIG confirmed the issue was valid but advised him to submit a request for correction from the ABCMR.

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

a. He enlisted in the U.S. Army Reserve as a Cadet on 23 August 1999 and commissioned as a Reserve Commissioned Officer on 6 July 2002.

b. On 21 March 2024 Orders 0007634711.00 show he was promoted to LTC with an effective date of promotion of 1 February 2024.

c. He continues service in the PAARNG.

3. On 14 July 2025, the National Guard Bureau, Chief of the Special Actions Branch provided an advisory opinion recommending approval of the applicant's request.

a. The applicant stated his date of rank and effective date should be corrected, and stated members of the PAARNG denied his request to be moved out of an excess modified table of equipment (MTOE) positions, which delayed his promotion from 2 June 2023 to 1 February 2024. The applicant gathered the resulting impact from the delay caused him a loss of five months of active duty pay at the grade of LTC, 8 months' time in grade as an LTC, and created his candidacy for mandatory retirement in 2030. Additionally, the applicant had filed a complaint with the PAIG, which was founded but could not be addressed and directed he seek relief from the ABCMR.

b. After review of the applicant's submission and discussion with the PAARNG and the Army National Guard (ARNG) G1 Federal Recognition Branch, the applicant's

request should be “granted”. PAARNG advised that the applicant’s promotion delay was likely due to his chain of command reliance on an outdated policy, Personnel Policy Operational Memorandum 17-004. The founding of the PAIG investigation further supported the mishandling and adverse impact on the applicant’s promotion, further stating in accordance with NGR 600-100, paragraph 8-16c(1) and 8-16c(2), the applicant should have been promoted.

4. On 18 July 2025, the applicant was provided a copy of the advisory opinion and afforded 15 days to provide comments. He did not respond.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was/was not warranted. The applicant’s contentions, the military record, and regulatory guidance were carefully considered.

- Correct DOR to LTC/O5: Grant. TC)/O-5 from 1 February 2024 to 2 June 2023. The Board concurred with the National Guard Bureau advisory official who recommended granting relief. The advisory official states that the applicant’s promotion delay was likely due to his chain of command reliance on an outdated policy. The IG investigation further supported the mishandling and adverse impact on the applicant’s promotion. Therefore, the Board determined there was an error and injustice and granted relief.
- Active Duty Pay and Allowances from June to September 2023 as a LTC/O5: Grant. The Board concurred with the National Guard Bureau advisory official who recommended granting relief. The advisory official states that the applicant’s promotion delay was likely due to his chain of command reliance on an outdated policy. The IG investigation further supported the mishandling and adverse impact on the applicant’s promotion. Therefore, the Board determined there was an error and injustice and granted relief.

2. The applicant’s request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

BOARD VOTE:

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

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army and Army National Guard records of the individual concerned be corrected by issuing the applicant a Special Order extending him Federal recognition for promotion to LTC/O-5 with an effective date and date or rank as 2 June 2023, with entitlement to back pay and allowances (if applicable) as a result of this correction.

X//signed//

CHAIRPERSON

I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCE:

National Guard Regulation 600-100 (Commissioned Officers – Federal Recognition and Related Personnel Actions) provides procedures for processing all applications for Federal Recognition, waivers, revises the list of documents required for appointment, gives new policy on the Early Commissioning Program, announces new policies dealing with civilian and military education requirements, changes specialty branch assignment policies, changes specialty branch promotion policies, changes general officer management policies, as it pertains to commissioned and general officers.

a. 8-16c(1) states Medial Corps (MC), Dental Corps (DC), Veterinary Corps (VC), Specialist Corps (SP), Chaplain Corps (CH), and Judge Advocate General's Corps (JAGC) officer who have been selected for promotion by mandatory selection board may be promoted over-grade (extended Federal Recognition in the higher grade), provided promotion is to the rank of Lieutenant Colonel (LTC) or below, and it is not more than one grade higher than that specified for the position in the Military Table of Organization and Equipment (MTOE) or Table of Distribution and Allowances (TDA). These officers may be extended Federal Recognition in the higher grade on or after the date of eligibility for promotion.

b. 8-16c(2) states professional Army National Guard (ARNG) commissioned officers (Army Medical Department (AMEDD) student (Medical, Dental, Interservice Physical Assistant Program (IPAP), Clinical Psychology, and Social Worker), JAGC and Chaplain Candidates) assigned to temporary additional TDA positions. A copy of the Temporary Table of Distribution and Allowances (TTDA) approval memorandum must accompany the promotion packet.

//NOTHING FOLLOWS//