

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: ██████████

BOARD DATE: 21 July 2023

DOCKET NUMBER: AR20230000588

APPLICANT REQUESTS: correction of her DA Form 5016 (Retirement Accounting Statement) to add duty performed during 21 through 24 June 2022 for points only.

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 1380 (Record of Individual Performance of Reserve Duty Training)
- E-mail from U.S. Army Human Resources Command (HRC)

FACTS:

1. The applicant states, she requests correction of her DA Form 5016 to reflect points earn for duty performed during the period of 21 through 24 June 2022. She submitted her DA Form 1380 to HRC to be awarded points only. However, HRC returned her request without action and stated she would have to apply to the Army Board for Correction of Military Records because she was outside the 60-day window allowed to submit the DA Form 1380. She has been on active duty for the previous 6-years in an Active Guard/Reserve (AGR) status and this was her first time being required to submit a request to be awarded points only for duty performed.

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

a. The applicant enlisted in the U.S. Army Reserve (USAR) on 2 October 2007. She has continuous service through extensions and reenlistments.

b. On 18 June 2008, Orders Number 8170019 issued by the Fort Lee Military Entrance Processing Station, the applicant was ordered to initial active duty for training.

c. On 19 November 2008, the applicant was honorably released from active duty. DD Form 214 (Certificate of Release or Discharge from Active Duty) shows she completed 5 months and 2 days of net active service.

d. On 28 September 2009, the applicant was ordered to active duty in support of Operation Iraqi Freedom.

e. On 14 October 2010, the applicant was honorably released from active duty. She completed 1 year and 17 days of net active service.

f. On 26 May 2011, the applicant was ordered to active duty in support of Active Duty Operational Support (ADOS).

g. On 25 June 2013, the applicant was honorably released from active duty. She completed 2 years and 1 month of net active service.

h. On 28 July 2015, Orders Number R-07-588554, issued by HRC, the applicant was ordered to active duty in an AGR status, effective 26 August 2015, for a 3-year commitment. The order was amended on 28 September 2018 for an additional 3-year AGR subsequent tour.

i. The applicant was honorably released from active duty on 1 October 2021 and assigned to the USAR Control Group (Reinforcement). DD Form 214 shows the applicant completed 6-years, 1-month, and 6-days of active service.

j. On 29 December 2021, Orders Number C-12-114407, issued by HRC, the applicant was assigned to the USAR Control Group (Individual Mobilization Augmentee (IMA)), effective 29 December 2021.

i. DA Form 5016 for the retirement year beginning on 29 December 2021 through 1 October 2022 shows the applicant earned 4 Inactive Duty Training (IDT) points, 11 membership points, and 12 active duty points for a total of 27 points.

3. The applicant provides:

a. DA Form 1380 dated 21 September 2022 which shows the applicant performed 8-hours per day, the duties required for the IMA program as the mobilization Noncommissioned Officer (NCO) and Human Resources NCO for the U.S. Army Criminal Investigation Division (CID) during the period of 21 through 24 June 2022. She is requesting points only (8 points in total).

b. E-mail from HRC, Retirement Points Team dated 28 September 2022 which states the applicant's request for points only for duty performed in June 2022 was not in compliance with the Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records), paragraph 3-3 (4)b or the Department of the Army G1 Exception to Policy which states the DA Form 1380 must be signed within 60-days of the last duty day performed. Due to this non-compliance, she must apply to the Army Board for Corrections of Military Records (ABCMR) for final determination. If the ABCMR determines she should be awarded the points, the applicant would need to provide HRC the approval memorandum.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The Board carefully considered the applicant's contentions, the military record, and regulatory guidance. The Board agreed that when the applicant was reverted to Guard status after six years on active duty, she should have been provided guidance regarding timelines for the submission of supporting forms. The Board further agreed that as it was more than likely that did not occur, the applicant should not be negatively impacted and as matter of equity, relief is warranted.

2. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is completed to more accurately depict the military service of the applicant.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

█	█	█	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by showing she performed duties as IMA MOB Ready NCO for the US Army Criminal Investigation Command on the following dates and that her DA Form 5016 be corrected accordingly:

Date	Hours	Retirement Points
• 21 June 2022	8	N2
• 22 June 2022	8	N2
• 23 June 2022	8	N2
• 24 June 2022	8	N2

[Redacted]

[Redacted]

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[Redacted]

[Redacted]

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.

ADMINISTRATIVE NOTE(S):

1. Reference the enclosed request for correction of military records from the subject individual to correct her DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending November 19, 2008, by:

- Delete in item 24 (Character of Service): Uncharacterized
- Add in item 24: Honorable

2. A review of the records listed below (enclosed) is sufficient to substantiate correction of the DD Form 214 without action by the Board.

- DD Form 214 service ending November 19, 2008
- Army Regulation 635-8

3. Please correct the applicant's DD Forms 214 by amending them as shown in paragraph 1 above. Provide the applicant a copy of the corrections. Please ensure that the corrections are recorded in the applicant's official military personnel record.

REFERENCE:

AR 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records) Chapter 2: Paragraph 2-4a states personnel on active duty, Active Duty Training (ADT), Inactive Duty Training (IADT), involuntary ADT, or Annual Training (AT) are awarded one point for each calendar day they serve in one of these categories and may not be awarded additional points for other activities while in such status. A maximum of two retirement points may be credited for attendance at unit Battle Assemblies (BA) or IDT in any 1 calendar day.

//NOTHING FOLLOWS//