

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: 

BOARD DATE: 7 February 2025

DOCKET NUMBER: AR20230011535

APPLICANT REQUESTS:

- requests award of the U.S. Army Reserve Components Achievement Medal
- retirement points

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 (Certificate of Release or Discharge from Active Duty)
- Three Leave and Earnings Statements (LES')
- Orders 16-2
- National Guard Bureau (NGB) Form 22 (Report of the Separation and Record of Service)
- Two Army National Guard (ARNG) Current Annual Statement
- Army Regulation (AR) 600-8-22 (Military Awards (partial)) Information

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.

2. The applicant states he believes he is eligible for the U.S. Army Reserve Components Achievement Medal in accordance with Army Regulation (AR) 600-8-22 (Military Awards) Chapter 4, Section III. On 30 August 1997 he completed three consecutive years of qualifying service (at least 50 retirement points per year) as an M-Day Soldier in the Connecticut ARNG. He included copies of my NGB-22 and final retirement points statement. Because of an inconsistency between reporting dates on the statement and his actual dates of service, it appears as though he accrued 49 points from 1994 to 1995. However, those points are only reported through 22 May 1995 while his first qualifying year of service extended through 30 August 1995. He included a copy of his September 1995 LES, which shows a total performance of 44 Unit Training Assembly's (UTAs) and 15 days of Annual Training (AT) during FY95 which, when

combined with 15 membership points, totals 74 retirement points for the year. He also included a copy of his September 1996 LES which shows a total performance of 30 UTAs and 71 days of active duty for training (ADT) during FY96 which, combined with 15 membership points, totals 116 retirement points for the year. Finally, the last LES he has access to is his July 1997 LES which shows a total performance of 31 UTAs and 16 days of ADT during FY97 which, combined with 15 membership points, totals 62 plus retirement points for the year. There are no instances of disqualification or unqualified service in the record.

3. The applicant provides:

a. Three LESs for the periods of 29 September 1995, 27 September 1996, and 11 July 1997, which show total duty performance.

b. NGB Form 22 shows the applicant was honorably discharged on 30 August 1997. He was awarded the Army Service Ribbon, National Defense Service Medal, and the Noncommissioned Officer Professional Development Ribbon.

c. Orders 16-2, 3 September 1997 shows the applicant was honorably discharged from the ARNG and as a Reserve of the Army on 30 August 1997.

d. ARNG Current Annual Statement, prepared 17 June 1997 shows the applicant had 1867 retirement points for the period from 24 February 1989 to 30 August 1997 and 5 years, 9 months, and 5 days of service creditable for retired pay.

e. ARNG Current Annual Statement, prepared 5 May 1999, shows the applicant had 1634 retirement points for the period from 24 February 1989 to 30 August 1997 and 5 years, 9 months, and 5 days service creditable for retired pay.

4. The applicant's service record shows:

a. He enlisted in the Regular Army on 18 August 1989.

b. He was honorably released from active duty on 22 May 1993 and transferred to the U.S. Army Reserve (USAR). His DD Form 214 shows he completed 3 years, 9 months, and 5 days net active service. He was awarded or authorized the National Defense Service Medal, Army Service Ribbon, Expert Marksmanship Qualification Badge with Grenade Bar, and the Sharpshooter Marksmanship Qualification Badge with Rifle Bar.

5. There is no evidence in the record, or provided by the applicant that shows he was awarded the U.S. Army Reserve Component Achievement Medal.

6. In the processing of this case an advisory opinion was obtained, 22 August 2024, from the Chief, Special Actions branch, NGB who opined in pertinent part:

a. The applicant requests to receive the U.S. Army Reserve Component Achievement Medal and a recalculation of retirement points.

b. Recommendation. Return without Action.

c. Discussion.

(1) The applicant enlisted in the Regular Army from 24 February 1989 to 22 May 1993 to include time in the delayed entry control group. His anniversary year end (AYE) was established as 24 February. He was transferred to the USAR Control Group until enlisting in the Connecticut Army National Guard (CTARNG) 31 August 1994 until his separation 30 August 1997. The applicant states that his NGB 23A is incorrect in the number of points he received in 1995, 1996 and 1997. He is requesting recalculation of his retirement points, fixing this discrepancy would also make him eligible to receive an U.S. Army Reserve Component Achievement Medal.

(2) After review of the applicant's records and coordination with the National Guard Bureau's Retirements Branch, a NGB 23B was recalculated that did result in a total of 7 years 6 months and 7 days of service, however because of his' AYE and enlistment date in the CTARNG, the Soldier did not have three consecutive good years to qualify for a U.S. Army Reserve Component Achievement Medal. A good year in AR 600-8-22 is a year that a Soldier accumulates 50 retirement points. The applicant served 2 years 6 months and 7 days of qualifying time in the National Guard towards a U.S. Army Reserve Component Achievement Medal. His initial enlistment year (1994-1995) in CTARNG did not count towards qualifying time as he only accumulated 37 points.

d. It is the recommendation of this office that the applicant's request be returned without action. The applicant was awarded accurate points for the time with all records supporting his NGB 23A. He did not serve three consecutive good years in the National Guard accumulating 50 points in each year and is not eligible for a U.S. Army Reserve Component Achievement Medal in accordance with AR 600-8-22.

e. This advisory opinion was coordinated with the National Guard Bureau Retirements Branch.

7. On 28 August 2024, the applicant responded by being thankful for sharing the National Guard Bureau memorandum. The memorandum verifies his time in the CTARNG as running from 31 August 1994 until 30 August 1997 three full years of service.

a. He never contended that the retirement points were incorrect. Rather, he pointed out that if the clock starts at his enlistment date, then his years of service should be calculated as:

- Year 1: August 1994 to August 1995,
- Year 2: August 1995 to August 1996,
- Year 3: August 1996 to August 1997

b. When calculated by the three-year period he actually served as opposed to the standardized periods the Retirement Points Statement, it is clear that he completed three full, continuous years of service, not 2 years 6 months and 7 days as the NGB suggests and acquired over 50 retirement points per year during each of those three years. The copies of the LES' he submitted prove that point.

c. While the Retirement Points Statement is certainly useful for its intended purpose, reserve retirement calculations, it simply is not a logical tool for calculating points over years of service for award eligibility.

d. A calculation of retirement points according to the standardized date format on the Retirement Points Statement for a U.S. Army Reserve Component Medal eligibility is arbitrary. It creates an undue stance that my service is not deserving of recognition because it did not conform precisely to the random date format on a standard DA Form. And, consequently, it denies him and other similarly situated Soldiers a simple recognition for exemplary behavior, efficiency, and fidelity exhibited while serving our States and Nation.

8. By Army Regulation (AR) 600-8-22 (Military Awards) the Army Reserve Components Achievement Medal is authorized for exemplary behavior, efficiency, and fidelity while serving as a member of an ARNG/USAR troop program unit or as an individual mobilization augmentee. Individuals must have completed 4 years of qualifying service on or after 3 March 1972 and before 28 March 1995. A qualifying year is a complete year in which a Soldier has earned a minimum of 50 retirement points.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's petition, available military records and the National Guard Bureau – Special Actions Branch advisory opinion, the Board concurred with the advising official recommendation that the applicant's records were

accurate and recommended the request be returned without action. The Board noted, based on the advisory that the applicant served in the Connecticut Army National Guard (CTARNG) from 31 August 1994 to 30 August 1997. However, based on his anniversary year end (AYE) and verified retirement point totals, the applicant did not complete three consecutive qualifying years defined by Army Regulation 600-8-22 as years in which a Soldier earns a minimum of 50 retirement points. Specifically, the applicant's first year of service in the CTARNG (1994–1995) reflected only 37 retirement points and therefore did not meet the qualifying threshold.

2. The Board acknowledged the applicant's assertion that his service should be evaluated based on calendar years beginning with his enlistment date rather than standardized retirement year periods. However, the Board agreed, eligibility for the U.S. Army Reserve Components Achievement Medal is governed by regulatory criteria that require three consecutive qualifying years, as defined by retirement point accounting standards. While the applicant's service was honorable and sustained, it did not meet the regulatory requirements for award eligibility. Therefore, the Board found no error or injustice and denied relief.

3. 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>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
XXX	XXX	XXX	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

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.

REFERENCES:

1. Title 10, U.S. Code, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.
2. Army Regulation 600-8-22 (Military Awards) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards. The Army Reserve Components Achievement Medal is authorized for award to Army personnel, including Active Guard Reserve officers, in the rank of colonel and below for exemplary behavior, efficiency, and fidelity while serving as a member of an Army National Guard or Army Reserve troop program unit or as an individual mobilization augmentee. Individuals must have completed 4 years of qualifying service on or after 3 March 1972 and before 28 March 1995. Beginning on 28 March 1995, the period of qualifying service for award of the U.S. Army Reserve Component Achievement Medal was reduced from 4 to 3 years. This change is not retroactive. Such years of qualifying service must have been consecutive. A period of more than 24 hours between Reserve enlistments or an officer's service will be considered a break in service. Credit toward earning the award must begin anew after a break in service.
3. Army Regulation 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//