

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 August 2024

DOCKET NUMBER: AR20230014746

APPLICANT REQUESTS: Issuance of a DD Form 214 (Certificate of Release or Discharge from Active Duty) for her Fulltime National Guard Duty - Operation Support (FTNGD-OS) duty from 14 November 2016 through 5 May 2020

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

- DD Form 149 (Application for Correction of Military Record)
- Orders 319-04 FTNGD-OS Orders, 14 November 2016
- Orders 270-139 FTNGD-OS Orders, 27 September 2017
- Orders 271-099 FTNGD-OS Orders, 28 September 2018
- Orders 277-014 FTNGD-OS Orders, 4 October 2019
- Orders 00037218.00 Separation Orders, 5 May 2020
- NGB Form 22 (Report of Separation and Record of Service), 5 May 2020
- NGB Form 23B (Army National Guard (ARNG) Retirement Points History Statement), 14 November 2016

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 she was on Active Duty Operation Support (ADOS) with the Army from November 2016 through May 2020. She served her ADOS orders with the Counterdrug Task Force Program. All of her active duty time is missing from her DD Form 214. She needs this active duty time to be reflected on her DD Form 214 for retirement. She was never issued a DD Form 214 when she got off ADOS orders with the Counterdrug Task Force, while in the ARNG. She believes this is an error because this is the time frame she is missing from her DD Form 214. She should have received an updated DD Form 214 with all of her active duty time served. She has been working on getting this issue resolved for the past three years, since she left the ARNG and no one has been able to assist her. She's reached out to her old unit, to the Counterdrug Task Force Headquarters who she was on ADOS orders with, her current unit, and no

one has been able to help her out. She served this time on ADOS orders and deserves her time to count.

3. The applicant's service record contains the following documents:

a. DD Form 4 (Enlistment/Reenlistment Document), shows she enlisted in the ARNG on 6 May 2008. She remained in the ARNG through extensions of her enlistment.

b. FTNGD-OS Orders, 14 November 2016, 27 September 2017, 28 September 2018, and 4 October 2019 show she was ordered to FTNGD-OS from 14 November 2016 through 5 May 2020.

c. NGB Form 22 shows she was honorably discharged from the ARNG on 5 May 2020. She had 12 years total service for pay and 11 years total service for retired pay with no prior active federal service. Her NGB Form 22 shows:

- she was on active duty from 7 August 2012 through 13 July 2013
- she was on active duty from 14 November 2016 through 5 May 2020.

d. NGB Form 23B, 5 May 2020, shows her active duty time from 14 November 2016 through 5 May 2020. She had 11 years creditable service for retired pay.

e. Her service record was void of a DD Form 214 from 14 November 2016 through 5 May 2020.

4. On 31 July 2024, the Chief Special Actions Branch, National Guard Bureau (NGB) provided an advisory opinion in the processing of this case. The NGB recommends approval of the applicant's request.

a. She enlisted in the Illinois ARNG on 6 May 2008 and was put on ADOS orders for the Counterdrug Task Force from 14 November 2016 through 5 May 2020. She was unable to attain a DD Form 214 for her time on ADOS orders despite the orders being more than 90 days. She states she would like to receive credit for this active duty time so that it will count toward her retirement. Her NGB Form 23B shows retirement points and credit for this time on ADOS; however, her record does not have a DD Form 214 for this time period.

b. It is the recommendation of NGB that her request be approved. She should be issued a DD Form 214 for her ADOS orders from 14 November 2016 to 5 May 2020. The advisory opinion was coordinated with the Illinois ARNG who needs a Board determination to issue a DD Form 214 now that she is separated from the ARNG.

5. On 1 August 2024, the advisory opinion was provided to the applicant to allow her the opportunity to respond. She did not respond.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The evidence shows the applicant enlisted in the ILARNG on 6 May 2008. She was placed on State ARNG ADOS orders for the Counterdrug Task Force from 14 November 2016 through 5 May 2020. Her NGB Form 23B shows retirement points and credit for this time on ADOS; however, her record does not contain a DD Form 214 for this time period. When a DD Form 214 is not available for review, the Board normally directs issuance of a statement of service. However, in this case, although it is unclear why the applicant was not issued a DD Form 214; the Board agreed with the NGB advisory that the applicant should have been issued a DD Form 214.

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 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 directing the NGB to issue the applicant a DD Form 214 for her service under Title 32, U.S. Code, sections 112 and 502, from 14 November 2016 through 5 May 2020.

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 635-8 (Separation Processing and Documents) prescribes the transition processing function of the military personnel system. It provides principles of support, standards of service, policies, tasks, rules, and steps governing required

actions in the field to support processing personnel for separation and preparation of separation document. The DD Form 214 is a summary of a Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of relief from active duty, retirement, or discharge. A DD Form 214 will be prepared for each Soldier as indicated:

- a. Regular Army Soldiers on termination of active duty because of administrative separation, physical disability separation, or punitive discharge resulting from a court-martial.
- b. Reserve Component (RC) Soldiers completing 90 days or more of continuous active duty.
- c. RC Soldiers separated for cause or physical disability regardless of the length of time served on active duty.
- d. Recalled retirees on active duty reverting to retired status regardless of the period of active duty service.
- e. ARNG and USAR Soldiers mobilized regardless of length of mobilization when transitioned from active duty.
- f. RC Soldier completing active duty that results in the award of a military occupational specialty, even when the active duty period was less than 90 days.
- g. Soldier changing their status or component while serving on active duty.

//NOTHING FOLLOWS//