

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 15 October 2024

DOCKET NUMBER: AR20240001330

APPLICANT REQUESTS: reconsideration of his previous request for the correction of his military records to authorize him 12 days of Post-Deployment/Mobilization Respite Absence (PDMRA).

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

- DD Form 149 (Application for Correction of Military Record)
- Self-authored statement
- Office of the Deputy Chief of Staff G1, Memorandum, Subject: PDMRA Clarification, dated 2 November 2020
- DD Form 214 (Certificate of Release or Discharge from Active Duty) service ending 25 April 2021
- Record of Proceedings for Army Board for Correction of Military Records (ABCMR) Docket Number AR20220006868
- Department of Defense Instruction (DoDI) 1327.06, dated 16 June 2009, Incorporating change 5, 25 August 2023
- United States Senate letter

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's case by the ABCMR in Docket Number AR20220006868 on 28 March 2023. The Board determined that the evidence presented was sufficient to warrant a recommendation for partial relief. As a result, the Board recommends that all Department of the Army records for the applicant be corrected by showing he is authorized to use 5-days of PDMRA upon the next qualifying deployment/mobilization. Authority to use these PDMRA days will expire upon the applicant's transfer from an authorized Reserve Component status. This recommendation carries with it no authority for monetary compensation. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to any relief in excess of that described above.

2. The applicant states the ABCMR failed to calculate his PDMRA entitlement correctly. The staff was unable to interpret a simple policy and incorrectly calculated the number of PDMRA days he earned. The PDMRA clarifying guidance memorandum which was dated 2 November 2020 states "Soldiers are authorized 2 days of PDMRA accrual if they were mobilized or deployed to Iraq and Afghanistan, on involuntary orders, per month of boots on ground." The Board incorrectly granted him PDMRA accrual at a rate of 1 day per month. Additionally, the number of months eligible for PDMRA was calculated erroneously when the determination was made that 5 months were eligible for PDMRA accrual. The accrual should begin on the date of boots on ground and ends on the date of departure. PDMRA days are authorized for each month or portion of a month the service member was deployed beyond the frequency threshold. His boots on ground for the deployment in 2017 through 2018 was 17 October 2017 through 21 July 2018 which is 10 months. His boots on ground for the deployment in 2020 through 2021 was 25 June 2020 through 17 March 2021 which is 10 months. Per the guidance, PDMRA begins accruing after 12 months which would have been accruing beginning August 2020 and ended in March 2021, 8 months. The calculation would have been 8 months times 2 days equals 16-days of PDMRA. Since the previous Board granted him 5 days of PDMRA, he is requesting an additional 11 days.

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

- a. On 30 December 2003, the applicant enlisted in the U.S. Army Reserve (USAR) and had continuous service through extensions and reenlistments.
- b. He served through multiple extensions or reenlistments in the USAR, in a variety of stateside or overseas/combat assignments, including Iraq, Kuwait, and Syria.
- c. DD Form 214 shows he was ordered to active duty, effective 13 July 2015. He was honorably released from active duty on 11 July 2016 after completion of 11-months and 29-days of active service.
- d. On 10 October 2017, Orders Number VY-283-0001, issued by the USAR Sustainment Command, ordered the applicant to active duty in support of Operation Inherent Resolve, effective 17 October 2017, by authority of Title 10 USC, 12302.
- e. On 3 September 2018, the applicant was honorably released from active duty. His DD Form 214 shows the applicant completed 10-months and 17-days of active service. It also shows in item 18 (Remarks): ordered to active duty in support of Operation Inherent Resolve in accordance with Title 10 USC, 12302 and PDMRA leave during the period of 29 July through 7 August 2018.
- f. On 13 June 2019, Orders Number HR-9164-00012, issued by the U.S. Army Human Resources Command (AHRC), ordered the applicant to active duty for

operational support, effective 1 July 2019 with duty at Red Reiver Army Depot, TX by authority of Title 10 USC, section 12301 (d).

g. On 8 May 2020, Orders Number VY-129-0001, issued by the USAR Sustainment Command, ordered the applicant to active duty in support of Operation Enduring Freedom (Spartan Shield), effective 6 June 2020, by authority of Title 10 USC, section 12302.

h. On 22 May 2020, the applicant was honorably released from active duty. DD Form 214 shows the applicant completed 10-months and 22-days of active service.

i. On 30 March 2021, Orders Number UW-089-0001, issued by Headquarters, 377th Theater Sustainment Command, the applicant was ordered to active duty in support of Coronavirus, effective 3 May 2021, by authority of Title 10 USC, section 12302.

j. On 25 April 2021, the applicant was honorably released from active duty. DD Form 214 shows the applicant completed 10-months and 20-days of active service. It also shows in item 18: ordered to active duty in support of Operation Enduring Freedom (Spartan Shield) in accordance with Title 10 USC, section 12302. This DD Form was amended to add in item 18: PDMRA leave benefit upon next qualifying deployment is 5-days and his deployment during this period is broken down as follows:

- Service in Kuwait - 21 through 25 June 2020
- Service in Iraq - 25 June through 15 October 2020
- Service in Syria - 15 through 26 October 2020
- Service in Iraq - 26 October 2020 through 23 January 2021
- Service in Syria - 23 through 30 January 2021
- Service in Iraq - 30 January through 17 March 2021
- Service in Kuwait - 17 through 20 March 2021

k. On 19 July 2021, the applicant was honorably released from active duty. DD Form 214 shows the applicant completed 2-months and 17-days of active service. It also states in item 18: ordered to active duty in support of activation Coronavirus in accordance with Title 10 USC, section 12302.

4. The applicant provides:

a. Office of the Deputy Chief of Staff G1, Memorandum, Subject: PDMRA Clarification, dated 2 November 2020, stated PDMRA is a benefit, not an entitlement, that is intended to provide a period of respite/non-chargeable administrative absence to Soldiers who are required to mobilize or deploy with a frequency beyond established Department of Defense rotation policy thresholds. For Reserve Component (RC) Soldiers the mobilization-to-dwell ratio of 1:5. PDMRA is considered as non-chargeable

administrative absence/ time-off. PDMRA is a benefit that must be used during the mobilization order period under which it was earned. This memorandum applies to all Soldiers mobilized in excess of 12-months, which includes mobilizations under Title 10, USC sections, 12301(a), 12302 or 12304. PDMRA is a use or lose benefit rather than an entitlement. This was for clarification and in no way changes the regulation or policy. PDMRA days are authorized for each month or portion of a month that a Service member is deployed beyond the frequency thresholds. Soldiers who, on the first day of their current qualifying mobilization, had been mobilized pursuant to 10 USC sections, 12301(a), 12302, or 12304 in excess of 12-months out of the previous 72-months, and who meet all other criteria are eligible to accrue PDMRA days. Mobilization for this purpose includes the day the service member is mobilized through the date the mobilization is terminated. For Reserve component service members, computation of credible time commences 72-months prior to the service member's mobilization and continues during the deployment. Soldiers who are mobilized outside the United States accrue one administrative absence pay per month provided they satisfy the following requirements:

- mobilized outside the United States (other than Iraq or Afghanistan)
- under orders type: Title 10 USC, sections 12301(a) or 12302 or 12304
- frequency threshold: on first day of current qualifying mobilization, had been mobilized in excess of 12-months out of the previous 72-months

For calculating PDMRA accrual for mobilization to Iraq or Afghanistan begins date of boots on ground and end the date of departure from boots on ground. For all other qualifying mobilization areas, the calculation begins on the date of mobilization and ends on the date the mobilization is terminated.

b. Department of Defense Instruction (DoDI) 1327.06 (Leave and Liberty Policy and Procedures), dated 16 June 2009 states is a program to recognize Service members under the Secretary's jurisdiction who are deployed or mobilized beyond DoD rotation frequency thresholds established by awarding them administrative absence days. The frequency threshold for Reserve component Soldiers mobilized in excess of 12-months during the most recent 72-month period qualify for PDMRA. Creditable time for RC Service members includes mobilizations under Title 10 USC, sections 12301(a), 12302, or 12304 of Reference (e). Mobilization for this purpose includes the day the Service member is mobilized through the date the mobilization is terminated. PDMRA days are authorized for each month or portion of a month that a service member is deployed beyond the frequency threshold. The number of PDMRA days awarded to Reserve component service members are:

- 1-day of administrative absence per month in excess of 12-months during the qualifying period.

- 2-days of administrative absence per month in excess of 18-months during the qualifying period.
- 4-days of administrative absence per month in excess of 24-months during the qualifying period.

The PDMRA accrual rates for Reserve component Soldiers is 2 administrative absence days per month when the mobilization threshold established is exceeded and the Soldier is serving in Iraq or Afghanistan pursuant to Title 10 USC, sections 12301(a), 12301(d), 12302 or 12304. Reserve component service members accrue 1 administrative absence day per month when the mobilization threshold was exceeded and the service member served outside the United States pursuant to Title 10 USC, sections 12301(a), 12301(d), 12302 or 12304.

#### BOARD DISCUSSION:

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

a. PDMRA is a use or lose benefit rather than entitlement and applies to all Soldiers mobilized in excess of 12-months, which includes mobilizations under 10 USC, sections 12301(a), 12302 or 12304. According to DODI 1327.06 PDMRA accrues at a rate of 2 days per month for RC Soldiers after 12 months out of the previous 72 months. The applicant did not provide the 2017 DD Form 214 at the time of demobilization. Without that, officials at the Mobilization Division were not aware he had a MOB (mobilization) that qualified him to receive PDMRA.

b. Nevertheless, the evidence of record shows the applicant previously mobilized from 17 July 2015 to July 2016 within CONUS (he did not deploy; CONUS mobilization is not qualifying). He then mobilized from October 2017 to September 2018 (10 months and 17 days) during which he deployed to Iraq from 27 October 2017 to 21 July 2018 and received his PDMRA for this deployment. He was also mobilized from June 2020 to April 2021, during which he was deployed from 25 June 2020 to 17 March 2021 which equals 8 months and 21 days or 9 months). Despite the absence of his 2017 DD Form 214, the Board previously granted him 5 days of PDMRA.

c. Based on his previous receipt of PDMRA and the previous ABCMR decision that granted him 5 more days, the Board determined he is not entitled to additional PDMRA days.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

Except for the correction addressed in Administrative Note(s) below, 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 to amend the decision of the ABCMR set forth in Docket Number AR20220006868 on 28 March 2023.

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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.

ADMINITRATIVE NOTES:

1. Reference the enclosed request for correction of military records from the subject individual to correct his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period of January 27, 2004 through June 22, 2004, by:

a. Delete: item 24 (Character of Service): Uncharacterized

b. Add: 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 period of service January 27, 2004 through June 22, 2004,
- Army Regulation 635-8 (Separation Processing and Documents)

3. Please correct the applicant's DD Form 214 by deleting and adding the items shown in paragraph 1a and b above. Provide the applicant a copy of the corrections. Please ensure that the corrections are recorded in the applicant's official military personnel record.

#### REFERENCES:

1. DoDI 1327.06 (Leave and Liberty Policies and Procedures), June 16, 2009, Incorporating Change 3, Effective May 19, 2016 (page 36-40, Enclosure 4) states it is DoD policy to obtain the maximum benefit from the objectives of annual leave programs, commanders and supervisors shall provide Service members the opportunity to take frequent periods of leave.

a. Post Deployment or Mobilization Respite Absence (PDMRA). This category of administrative absence is a program to recognize Service members under the Secretary's jurisdiction who are deployed or mobilized beyond DoD rotation frequency thresholds established by awarding them administrative absence days.

b. RC Service members mobilized in excess of 12-months during the most recent 72-month period qualify for PDMRA. Creditable time for RC Service members includes mobilizations under sections 12301(a), 12302, or 12304 of Reference (e). Mobilization for this purpose includes the day the Service member is mobilized through the date the mobilization is terminated. For Service members of the RC, computation of creditable time commences 72-months prior to the Service member's mobilization and continues during the deployment.

c. PDMRA days are authorized for each month or portion of a month that a Service member is deployed (AC) or mobilized (RC) beyond the frequency thresholds at paragraph 2 of this enclosure. The number of PDMRA days awarded to AC and RC Service members are:

- One day of administrative absence per month in excess of 12-months during the qualifying period
- Two days of administrative absence per month in excess of 18-months during the qualifying period
- Four days of administrative absence per month in excess of 24-months during the qualifying period

d. Under current law, Service members of the RC who are also Federal, State, or

local government civilian employees are not permitted to receive their civilian pay on the same days they are serving on active duty. Affected Service members may elect to receive assignment incentive pay (AIP) in lieu of being awarded administrative absence days. AIP is valued at \$200.00 for each day of administrative absence that otherwise would have been authorized, not to exceed \$3,000.00 monthly as prescribed under section 307a. There is no option to cash in administrative absence days already earned. The AIP election must be made by the affected RC Service member prior to the days being earned.

2. Office of the Deputy Chief of Staff, G-1, Memorandum for Record, dated 5 June 2020, Subject: Post-Deployment/Mobilization Respite Absence (PDMRA) Clarification states RC Soldiers who are mobilized outside of the United States accrue 1 (one) administrative absence day per month provided they satisfy the following parameters: (1) Mobilized outside of the United States (other than Iraq or Afghanistan) (2) Under Order Types: Title 10, USC, sections 12301(a), 12302, 12304. Frequency Threshold: On the first day of their current qualifying mobilization, had been mobilized pursuant to above section in excess of 12 months out of the previous 72 months utilizing the mobilization-to-dwell ratio of 1:5 and, when possible, at least one extended leave period each year of approximately 14 consecutive days or longer within the constraints of operational requirements. Additionally, Service members shall be allowed to take authorized time to tend to emergency situations and other purposes as outlined in this Instruction.

3. Army Regulation 600-8-10 (Leaves and Passes) prescribes the policies and mandated operating tasks for military absences, including leave, pass, and administrative absence. This regulation is binding on all entities involved in granting leave, pass, and other forms of absence from duty. Paragraph 5-12 (Appropriate uses for administrative absence and leave of absence), c (8) (Post deployment or mobilization respite absence (PDMRA)), this category of administrative absence applies to Soldiers required to deploy or mobilize above DoD rotation frequency thresholds established by the Secretary of Defense, per DoDI 1327.06. The Secretary of the Army has directed a deployment-to-dwell ratio 1:2 for Regular Army members and mobilization-to-dwell ratio of 1:5 for Reserve Component members as the qualifying threshold for providing PDMRA benefits.

//NOTHING FOLLOWS//