

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 July 2025

DOCKET NUMBER: AR20240004770

APPLICANT REQUESTS: correction of his retirement points to reflect inclusion of service for points only for the Retirement Year Ending (RYE) 14 May 2007.

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 199 (Informal Physical Evaluation Board (PEB) Proceedings), dated 17 April 2018 to be addressed in the service record below
- DA Form 1379 (Authorized Transaction Master List) excerpt showing he attended drill with Headquarters and Headquarters Battery 1st Battalion, 113th Field Artillery Regiment on 5 and 6 May 2007
- Master Military Pay Account (MMPA) showing his summarized pay history from 2003 - 2007
- Email correspondence with the NC Army National Guard (NCARNG) Retirement Services Office showing he was referred to contact the Army Board for Correction of Military Records (ABCMR) with assistance for retirement point credits

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 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, in part:

- His Retirement Point Accounting Management (RPAM) fails to show he was awarded a good year for retirement from 15 May 2006 to 14 May 2007
- He returned home from Afghanistan in May of 2006 and enrolled in the University of North Carolina Reserve Officers' Training Corps (ROTC) program as a Cadet with the NCARNG
- In September 2006 and April 2007, he conducted field training exercises with the ROTC unit that was to count for drill

- On 5 and 6 May 2007 he attended drill and attached the DA Form 1389 for the drill weekend
- In 2018 he was medically retired and is rated at 100 percent total and permanent by the Veterans Affairs
- He was informed later that he only had 19 years of service because he had two (2) bad years
- He earned 46 points for the retirement year of 15 May 2006 to 14 May 2007 when it should have been 50 points
- He has reached out to the Texas Army National Guard (TXARNG), NCARNG and New Mexico (NMARNG) for assistance and was redirected to the ABCMR as shown in the email attached
- Based on the DA Form 1389 his RPAM should reflect that he has 20 years of credible service thus allowing him to draw Concurrent Retirement and Disability pay

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

- Having prior enlisted service in the Regular Army, U.S. Army Reserve, and the NMARNG, on 11 July 2006, he enlisted in the NCARNG
- On 14 September 2012, he transferred to the TXARNG
- On 17 April 2018, a PEB convened finding him physically unfit for duty with a recommended rating of 40 percent and permanent disability retirement
- National Guard Bureau (NGB) Form 22 (Report of Separation and Record of Service), dated 20 June 2018 reflects an honorable retirement from the TXARNG and placement on the Permanent Disability Retired List with service from 11 July 2006 to 20 June 2018
 - He completed 11 years, 11 months, and 10 days
 - Prior Reserve component service of 5 years, 1 month, and 26 days
 - Prior active federal service of 4 years
- NGB Form 23B (ARNG Retirement Points History Statement), dated 26 February 2019 shows for the RYE 14 May 2007 he earned 46 total retirement points (this form shows a Military Membership Status Identifier of B6 (Simultaneous Membership Program (SMP) for the period 19 October 2006 through 14 May 2007)
- On 26 February 2019, a Memorandum, Subject: Notification of Eligibility for Retired Pay for Non-Regular Service (15 Years) was issued
- The applicant's records are void of a DA Form 1380 (Record of Individual Performance of Reserve Duty Training)

4. On 9 April 2025, the NGB, Chief, Special Actions Branch, provided an advisory opinion recommending disapproval of the applicant's request stating:

a. The applicant's RPAM does not credit him a good year for 15 May 2006 to 14 May 2007. He claims that he should have 50 points for that year and requests a correction to his RPAM.

b. He returned from a deployment in May 2006 and enrolled in a ROTC program in North Carolina through a SMP with the NCARNG from 19 October 2006 to 9 July 2008. He states that he conducted field training exercises with his ROTC unit that was to count for drill. He also provided a DA Form 1379 to prove that he attended drill on the 5th and 6th of May 2007. Based on his RPAM, he only received 46 points during 15 May 2006 to 14 May 2007, so he did not receive a creditable year towards retirement pay.

c. After reviewing the MMPAs and his RPAM statement, his points are currently accurate as is. ROTC training is not credible for retirement points, even though the applicant still gets paid and gets a leave and earnings statement for the training. The applicant does not provide a DA Form 1380 where the school credits him for those trainings. The applicant is still responsible to attend the organic unit's active duty training and inactive duty trainings to ensure he has a creditable year. All the MMPA drill dates are reflected in his pay details in RPAM. There is a DA Form 1379 attached in the supporting documents showing drill was scheduled for the 5th and 6th of May 2006. However, it does not show what he was coded for attendance on those days nor is it fully complete and signed and verified. Based on his MMPA, he received pay on 15th and 16th of May 2007 as the rest of his records reflect, but since that is past 14 May 2007, those dates were not credited towards his year when he only received 46 points. Based on these records, it is the recommendation of this office that the applicant's request be disapproved. There is no documentation to support his request of correcting his RPAM to reflect a creditable year from 15 May 2006 to 14 May 2007.

d. The ARNG Retirement Branch concurs with this recommendation.

e. The NCARNG and TXARNG concur with this recommendation.

5. On 13 April 2025, the applicant was provided with a copy of the advisory opinion and afforded an opportunity to respond. As of 24 April 2025, 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 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 NGB, Chief, Special Actions Branch advisory opinion, the Board concurred with the

advising official recommendation for disapproval finding upon the applicant's returned from a deployment in May 2006 and enrolled in a ROTC program in North Carolina through a SMP with the NCARNG from 19 October 2006 to 9 July 2008. There is no documentation to support his request of correcting his RPAM to reflect a creditable year from 15 May 2006 to 14 May 2007.

2. The Board determined based on the applicant's RPAM, he only received 46 points during 15 May 2006 to 14 May 2007, so he did not receive a creditable year towards retirement pay. The Board found the applicant completed over a decade of honorable service, his request to retroactively adjust his Retirement Points Accounting Management (RPAM) record to credit a good year from 15 May 2006 to 14 May 2007 lacks sufficient substantiating documentation. The Board agreed based on the opine, the applicant earned only 46 points during that retirement year, short of the 50-point threshold required for a qualifying year toward non-regular retirement.

3. Although the applicant references ROTC field training and claims attendance at drill dates, ROTC-related activities regardless of pay or leave statements do not automatically confer retirement points unless properly documented with DA Form 1380. Furthermore, the Board noted, given the absence of validated evidence and in accordance with regulatory retirement point policies. The RPAM record as maintained accurately reflects the applicant's point accumulation and the Board denied relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	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 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records) in effect at the time did not allow for awarding retirement points to participants in the SMP ROTC advanced course. DA Form 1379 is the basic form for reporting monthly status of Army Reserve personnel. With regard to awarding of retirement points for IDT (Four-Hour Rule), Service Members will be awarded one point for each 4-hour period of IDT duty performed. Maximum of two points per calendar day applies to IDT duty. Duty must be 8 hours in duration to receive two points per day.

//NOTHING FOLLOWS//