

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 September 2023

DOCKET NUMBER: AR20230001752

APPLICANT REQUESTS: in effect –

- exception to policy to show the submitted DA Forms 1380 (Record of Individual Performance of Reserve Duty Training) were accepted and added to his record
- a personal appearance before the Board

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

- DD Form 149 (Application for Correction of Military Record)
- Inactive Duty Training (IDT) Attendance Rosters, October, November and December 2020; January, February, March, April, May, August and December 2021; April, May, July and August 2022
- DA Forms 1380, 23 November and 7 December 2020, 11 January, 15 February, 8 March, 19 April and 9 August 2021; 28 April, 15 May, 10 July and 7 August 2022
- Memorandum for Record (MFR), Subject: Letter of Lateness for submission of DA Form 1380, 6 March 2022
- MFR, Subject: Letter of Lateness – DA Forms 1380 Point Only for [Applicant] Department of Defense (DoD) Identification (ID) Number [REDACTED] 9 May 2022
- MFR, Subject: Letter of Lateness – DA Forms 1380 Points Only for [Applicant], 16 May 2022
- Points Detail by Date Range screenshots, 2020 to 2022

FACTS:

1. The applicant states he is missing points for months he attended drill starting in 2020 through 2022. He was told in 2020 to stop submitting DA Forms 1380 as he was being coded for points only on the unit sign in roster. Later his full time personnel [unit staff] learned it was mandatory he submit DA Forms 1380. He has submitted DA Forms 1380 for all the missing time starting in October/November 2021. Additionally, DA Forms 1380 he has submitted for 2022 have not been correctly submitted. He understands he cannot drill for points and have started to receive pay; however, this is his 20th year and just wants the points he earned so he can retire. It has not been more than three years.

However, he has been working with the Reserve personal actions center, his leadership team, and the full-time staff to correct the errors.

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

a. Having had prior enlisted service in the Regular Army, he entered the U.S. Army Reserve on 30 October 2011.

b. DA Form 5016 (Chronological Statement of Retirement Points) dated 25 August 2023, shows in pertinent part, he earned the following retirement points during the periods:

- 27 March 2020 to 26 March 2021 – 24 Inactive Duty Training (IDT) points, 15 membership points, and 39 total points creditable
- 27 March 2021 to 26 March 2022 – 18 IDT points, 15 membership points, 26 active duty points, 1 year qualifying for retirement, and 59 total points creditable

3. The applicant provides:

a. IDT Attendance Rosters from October 2020 to August 2022, which show the commander certified the applicant performed training as indicated (listed dates) in accordance with the law and regulations and is entitled to pay.

b. DA Forms 1380 which show the following:

- 17 October 2020 – 8 hours (non-paid), N2, Drill from home of record, Fundamentals of the Operations Process, Execution and Assessment, Instruction; totaling: 2 points
- 18 October 2020 – 8 hours (non-paid), N2, Drill from home of record, Overview and Staff Operations in Security Process, Operation Security and Military Decision Making, Instruction; totaling: 2 points
- 20 November 2020 – 8 hours (non-paid), N2, 34451 Schoolcraft Road, Livonia, MI 48150; "MRT, SHARP, Joint Bulk Petroleum Overview, Training; totaling: 2 points
- 21 and 22 November 2020 – 8 hours each day (non-paid), N2, 34451 Schoolcraft Road, Livonia, MI 48150; Annual Training Brief, "FSSP," Part 1, Instruction; totaling: 4 points
- 5 December 2020 – 8 hours (non-paid), N2, 34451 Schoolcraft Road, Livonia, MI 48150; Personnel Items, Unit Updates, "MRT", Instruction; totaling: 2 points
- 6 December 2020 – 8 hours (non-paid), N2, 34451 Schoolcraft Road, Livonia, MI 48150; Family Day, Training; totaling: 2 points

- 9 January 2021 – 8 hours (non-paid), N2, 34451 Schoolcraft Road, Livonia, MI 48150; Quartermaster Operations Overview, Instruction; totaling: 2 points
- 10 January 2021 – 8 hours (non-paid), N2, 34451 Schoolcraft Road, Livonia, MI 48150, Officer Evaluation Report/Noncommissioned Officer Evaluation Report Check-Ins, Training; totaling: 2 points
- 13 February 2021 – 8 hours (non-paid), N2, 34451 Schoolcraft Road, Livonia, MI 48150; Personnel Items, Unit Updates, "LHI", Instruction; totaling: 2 points
- 14 February 2021 – 8 hours (non-paid), N2, 34451 Schoolcraft Road, Livonia, MI 48150; Employment, Chapter 2, Sections 4-5, Instruction; totaling: 2 points
- 6 March 2021 – 8 hours (non-paid), N2, 34451 Schoolcraft Road, Livonia, MI 48150; Personnel Items, Unit Updates, Instruction; totaling: 2 points
- 7 March 2021 – 8 hours (non-paid), N2, 34451 Schoolcraft Road, Theater Army Contingency, "SHARP", Instruction; totaling: 2 points
- 16 April 2021 – 8 hours (non-paid), N2, Camp Grayling, Grayling, MI Sign for Weapons, Conduct Ranges, Weapons Training; totaling: 2 points
- 17 April 2021 – 8 hours (non-paid), N2, Camp Grayling, Grayling MI, Conduct Ranges, training; totaling: 2 points
- 18 April 2021 – 8 hours (non-paid), N2, 34451 Schoolcraft Road, Livonia MI 48150, Clean Weapons; totaling: 2 points
- 15 May 2021 – 8 hours (non-paid), N2, Drill from home of record, Fundamentals of the Operations Process, Execution and Assessment, Instruction; totaling: 2 points
- 16 May 2021 – 8 hours (non-paid), N2, Drill from home of record, Overview and Staff Operations in Security Process, Operation Security and Military Decision Making, Instruction; totaling: 2 points
- 7 August 2021 – 8 hours (non-paid), N2, 34451 Schoolcraft Road, Livonia, MI 48150, Practice Army Combat Fitness Test (ACFT), Conducting an M9 Range, Training; totaling: 2 points
- 8 August 2021 – 8 hours (non-paid), N2, 34451 Schoolcraft Road, Livonia, MI 48150, Sensitive Inventory, Executive Joint Logistics, Training; totaling: 2 points
- 12 December 2021 – 8 hours (non-paid), N2, Performed Administrative Duties, 34451 Schoolcraft Road, Livonia, MI 48150, Training; totaling: 2 points
- 14 May 2022 – 8 hours (non-paid), N2, 34451 Schoolcraft Road, Livonia, MI 48150, ACFT, Annual Training preparation, Training; totaling: 2 points
- 15 May 2022 – 8 hours (non-paid), N2, 34451 Schoolcraft Road, Livonia, MI 48150, Annual Training Preparation, Training; totaling: 2 points
- 9 July 2022 – 8 hours (non-paid), N2, Performed Administrative Duties, 34451 Schoolcraft Road, Livonia, MI 48150, Training; totaling: 2 points
- 6 August 2022 – 8 hours (non-paid), N2, Mass Medical, 26400 W Eleven Mile Road, Southfield, MI 48034, Training; totaling: 2 points

- 7 August 2022 – 8 hours (non-paid), N2, Performed Administrative Duties, 34451 Schoolcraft Road, Livonia, MI 48150, Training; totaling: 2 points

c. MFR, Subject: Letter of Lateness for submission of DA 1380, dated 6 March 2022, wherein the commander stated, the applicant is submitting a Letter of Lateness due to delayed submissions of DA Forms 1380. The DA Forms 1380 were submitted late due to drilling from home as a result of COVID-19, a change in full time staff and system access and a lack of understanding for the requirements. Going forward the applicant will submit all DA Forms 1380 within 30 days of the work being completed and escalate any obstacles in a timely manner.

d. MFR, Subject: Letter of Lateness – DA Form 1380s Points Only for [applicant], DoD ID [REDACTED], dated 9 May 2022, wherein the Military Personnel and Administrative Assistant Livonia Reserve Personnel Action Center (RPAC) stated:

(1) The applicant performed Battle Assembly duties in Points Only Status on the following dates: 20 - 22 November 2020, 5 - 6 December 2020, 9-10 January 2021, 13-14 February 2021, 6- 7 March 2021, 16-18 April 2021, and 12 December 2021. Typically, she submits DA Forms 1380 on the Soldiers behalf to the Retirement Points team. Upon returning from her mobilization, she noticed that the applicant received very few retirement points while she was gone. In addition, the change in policy of where to send DA Forms 1380 for points only effective 1 April 2022 delayed the submission.

(2) She has reviewed all Battle Assembly sign in rosters for the applicant (unit-WSU1XX) while she was mobilized and have been provided the DA Forms 1380 from the unit. Request that the applicant receive credit for duty performance as annotated on the DA Forms 1380. She will enforce strict policy of not processing Battle Assembly sign in Roster for all Soldiers until DA Form 1380 for any code N (non-paid) that are submitted with a sign in roster.

e. MFR, Subject: Letter of Lateness – DA Form 1380s Points Only for [applicant], dated 16 May 2022, wherein the Military Personnel and Administrative Assistant Livonia RPAC stated:

(1) The applicant performed Battle Assembly duties in Points Only Status on the following dates: 17-18 October 2020, 15-16 May 2021, and 7- 8 August 2021. Typically, she submitted DA Forms 1380 on the Soldiers behalf to the Retirement Points team. Upon returning from her mobilization, she noticed that the applicant received very few retirement points while she was gone. In addition, the change in policy of where to send DA Forms 1380 for Points only effective 1 April 2022 delayed the submission.

(2) She has reviewed all Battle Assembly sign in rosters for the applicant (unit-

WSU1XX) while she was mobilized and have been provided the DA Forms 1380 from the unit. Request that the applicant receive credit for duty performance as annotated on the DA Forms 1380. She will enforce strict policy of not processing Battle Assembly sign in Roster for all Soldiers until DA Forms 1380 for any code N that are submitted with sign in roster.

f. Soldier Management System – Points Detail by Date Range screenshots for the years 2020 to 2022, which show his start dates, end dates, type of retirement points, status, points, and school code. The screenshots also show his type of retirement and retirement points total.

4. On 5 May 2023, Headquarters, USAR Command (USARC), Branch Chief provided an advisory opinion for this case and recommended administrative relief be granted. The advisory official stated, USARC reviewed the applicant's documents and determined he should be awarded the points in accordance with Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records), the applicant has provided proper documentation tracking his point correction as required. Administrative relief granted.

5. On 9 June 2023, the applicant was provided a copy of the USARC advisory opinion to allow for comments and/or rebuttal. He did not respond.

BOARD DISCUSSION:

1. The Board determined 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.

2. 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 Board reviewed and agreed with the U.S. Army Reserve Command that the applicant should be awarded the points in accordance with AR 140-185 since the applicant provided proper documentation tracking his point, and the Board agreed that a correction is required.

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 records of the individual concerned be corrected by showing the applicant completed paid non-paid inactive duty training between 17 October 2020 and 7 August 2022, based on the submitted DA Form 1380, and they were forwarded to HRC in a timely manner meeting submission timelines for consideration. HRC will determine the appropriate amount of credit as a result of this correction.

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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.

ADMINISTRATIVE NOTE(S): N/A

REFERENCES:

1. AR 15-185 (ABCMR), states in paragraph 2–11 states that applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

2. AR 140-1 (Mission, Organization, and Training) states in paragraph 3-26 (Training of Soldiers in a non-pay status), Soldiers in an active status may take part in individual inactive duty training (IDT) in a non-pay status when authorized by the appropriate commander. In pertinent part, individual training opportunities with retirement point credit are approved for:

- attachment to appropriate Reserve Component Troop Program Units (TPU)
- attachment to Active Army units
- attachment to reinforcement training units as appropriate
- participation in approved training projects or using administrative skills in support of TPU and USAR activities
- attendance at Army service or Army area school training
- enrollment in appropriate extension courses
- attendance at authorized conventions, professional conferences, or appropriate trade association meetings related to the individual's mobilization specialty
- conducting or reviewing medical examinations, and related medical duties
- recruiting duties as described in AR 140–185

3. AR 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records), paragraph 2-1 (Criteria for crediting retirement points) states, IDT will be either 4 hours in length for one retirement point or 8 hours in length for two retirement points.

//NOTHING FOLLOWS//