

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 August 2023

DOCKET NUMBER: AR20230001835

APPLICANT REQUESTS: retirement points for his Periodic Health Assessments (PHA) and dental readiness examination on 20 December 2021 and 12 January 2022.

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

- DD Form 149 (Application for Correction of Military Record)
- Voucher for Service, 20 December 2021
- Voucher for Service, 12 January 2022
- Email regarding Points

FACTS:

1. The applicant states in effect, as an The Board carefully considered the applicant's request, supporting documents, evidence in the record and regulatory guidance concerning the accrual of retirement points for members of the USAR.) in the U.S. Army Reserve (USAR), he conducted his annual PHA and dental readiness for fiscal year 2022 on 12 January 2022 and 20 December 2021. These appointments would be considered his Inactive Duty Training (IDT). His unit never submitted a DA Form 1380 (Record of Individual Performance of Reserve Duty Training) or it was never processed by the U.S. Army Human Resources Command (AHRC) so that he would get his reserve retirement points (1 point for each appointment) or pay for each period. AHRC now requires DA Forms 1380 to be processed much faster and these appointments have passed their grace period. The procedure, apparently, is to go through this process. He only received 46 out of his possible 48 IDT points for the year due to these two points being left off.

2. The applicant's service record contains the following documents, for the Board's consideration:

a. DA Forms 71 (Oath of Office - Military Personnel), dated 16 May 2009 wherein he completed the oath of office as a Reserve commissioned officer and 19 October 2009 wherein he completed the oath of office as a Regular Army officer in the Infantry Corps.

b. DD Form 214 (Certificate of Release or Discharge from Active Duty) honorably transferred the applicant to the USAR Control Group (Reinforcement) on 27 May 2018.

c. Memorandum, Subject: Appointment as a Reserve Commissioned Officer of the Army Under Title 10, United States Code 12201 and 12203, dated 13 June 2018 appointed the applicant as a Reserve commissioned officer.

d. DA Form 5016 (Retirement Accounting Statement), dated 13 June 2023, shows the applicant earned 46 IDT points, 15 membership points, and 15 active duty points from 26 August 2021 through 25 August 2022, totaling 76 points creditable.

e. The applicant's service record is void of and the applicant did not provide DA Forms 1380 for 20 December 2021 and 12 January 2022.

3. The applicant provides the following documents, for the Board's consideration:

a. Vouchers for Service dated 20 December 2021 and 12 January 2022, which show the applicant completed a dental examination on 20 December 2021 and a PHA with other tests on 12 January 2022.

b. Email from the applicant to the senior enlisted advisor, dated 17 August 2022, which states he never got his points for doing his PHA and dental examination.

4. On 31 May 2023, the AHRC, Chief, Operations and Readiness Division, provided an advisory opinion for the Board's consideration, which states, in effect:

a. The applicant submitted vouchers for PHA for the awarding of nonpaid retirement points.

b. AHRC reviewed the application. Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records) paragraph 3-3 allows for the award of one retirement point for completion of PHA Medical and PHA Dental appointment annually. A DA Form 1380 and the PHA voucher are required to award nonpaid retirement points.

c. DA Forms 1380 and PHA vouchers were not submitted to AHRC to award nonpaid retirement points on behalf of the applicant. AHRC cannot award nonpaid retirement points without direct from the Board.

5. On 9 June 2023, the advisory opinion was provided to the applicant to allow him the opportunity to respond. The applicant responded by submitting an email from the Senior Enlisted Advisor, dated 27 September 2022, which states, in pertinent part:

a. All DA Forms 1380 for pay must be submitted to the IMA Coordinator within 72 hours from the last day of duty performed.

b. Any DA Forms 1380 submitted after 60 days from the last duty day performed will be returned without action. Finance will not process an action if it is submitted after the duty was performed. In the event the DA Form 1380 is over 60 days from the last duty day performed, request correction through the Board.

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 Board carefully considered the applicant’s contentions, the military record, and regulatory guidance concerning the accrual of retirement points for members of the USAR. DA Forms 1380 must be submitted to the IMA Coordinator within days. Although the applicant states the forms were timely submitted, evidence of record does not reflect that the support DA Forms 1380 were submitted to the AHRC to award nonpaid retirement points in accordance with regulatory guidance. Based on preponderance of the evidence available for review, the Board determined the evidence presented insufficient to warrant a recommendation for relief.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
■	■	■	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined 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.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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:

AR 140-185 (Army Reserve Training and Retirement Point Credits and Unit Level Strength Accounting Records), in effect at the time, prescribes the types of training and activities for which retirement points are authorized and the procedures for recording retirement point credits and training for USAR Soldiers. It also prescribes guidance for USAR unit level strength accounting.

a. The retirement year, once established, will not change as long as the Soldier has continuous service in an active status in a Reserve and/or Regular Component. It will change when there is a break in active status.

b. (Criteria for crediting retirement points), limitations on the number of points which may be credited to a Soldier during a retirement year are:

- Maximum—365 (366 during leap year) points
- Maximum for inactive duty training (IDT)—60 points for IDT and membership
- Membership—15 points for each year in an active status

IDT and Membership points may not exceed:

- Prior to 23 September 1996: 60-point rule in effect
- On or after 23 September 1996: 75-point rule in effect
- On or after 30 October 2000: 90-point rule in effect
- On or after 30 October 2007: 130-point rule in effect

All active duty training is credited. However, a Soldier can only receive credit for a maximum of 365 (366 in a leap year) retirement points in a year.

c. (Criteria for earning retirement points), retirement points may be earned by USAR Soldiers for active duty (AD) or duty in an active status for active duty for training (ADT), initial active duty for training (IADT), involuntary ADT, voluntary inactive duty training

(IDT), annual training (AT), IDT, membership points, and for other activities specified in this regulation.

d. (Criteria for awarding retirement points), personnel on AD, ADT, IADT, involuntary ADT, or AT are awarded 1 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. Table 2–3 rule 13 states a member who performs a PHA is authorized one retirement point per day per anniversary year for medical and dental each.

e. Army Training Requirements and Resources System (ATRRS) training transcript, DD Form 214 (Certificate of Re-lease or Discharge from Active Duty), DD Form 215 (Correction to DD Form 214, Certificate of Release or Discharge from Active Duty), DD Form 220 (Active Duty Report), master military pay account, DFAS Form 702 (Defense Finance and Accounting Service Military Leave and Earnings Statement), DA Form 1379 (U.S. Army Reserve Components Unit Record of Reserve Training), DA Form 1380 (Army Reserve Record of Individual Performance of Reserve Duty Training), DA Form 5016, and the Reserve retirement repository are used to maintain and record the award and entitlement of retirement points. Units of assignment are responsible to ensure source documents are uploaded into iPERMS prior to submission of action to adjust a Soldier's retirement points. This will ensure proper validation of retirement points throughout a Soldier's career.

//NOTHING FOLLOWS//