

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 December 2023

DOCKET NUMBER: AR20230002636

APPLICANT REQUESTS: correction of retirement points for the retirement year ending 12 March 2023 to include duty performed in October and November 2022.

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

- DD Form 149 (Application for Correction of Military Record)
- Administrative Records Corrections
- DA Form 1380 (Record of Individual Performance of Reserve Duty Training)

FACTS:

1. The applicant states in pertinent part that his military records do not accurately reflect all of his qualifying service performed in October and November 2022. He contests that the management system (Integrated Personnel and Pay System – Army IPPS-A) was experiencing technical difficulties resulting in the DA Forms 1380 being submitted outside of the required 60-day window. On 10 November 2022, the IPPS-A brown-out date was initiated and maintained some technical glitches through 10 January 2023. The provided DA Forms 1380 were submitted on 13 January 2023 and returned without action on 6 February 2023.

2. A review of the applicant's available service records reflects the following:

a. After serving as an enlisted Soldier, on 26 April 1994, the applicant was appointed a Warrant Officer within the U.S. Army Reserve.

b. On 7 March 2006, the U.S. Army Human Resources Command (AHRC) issued Orders Number C-03-606279 reassigning the applicant to serve as an Individual Mobilization Augmentee (IMA), effective 6 March 2006.

c. On 19 April 2018, the applicant was issued a Notification of Eligibility for Retired Pay at Non-Regular Retirement (20-year letter).

d. On 20 December 2021, the Army Reserve Aviation Command issued Orders Number 21-354-00003 reassigning the applicant to the U.S. Army Reserve Aviation Command, effective 20 December 2021.

e. On 18 January 2022, AHRC issued Orders Number B-01-200300 promoting the applicant to the rank of chief warrant officer five (CW5)/W-5, effective 20 December 2021.

f. On 10 August 2023, the Department of the Army issued Orders Number 5655478 reassigning the applicant to the Retired Reserve, effective 1 October 2023.

3. The applicant provides the following:

a. Administrative Records Corrections reflective of the applicant's submission of 3 DA Forms 1380 (October – November 2022).

b. DA Form 1380 dated 1 November 2022, reflective of the applicant's performance of qualifying service for "points only" on the following dates for a period of 4 hours each day: 7, 10, 15, 27 and 28 October 2022. The applicant also performed qualifying service for "points only" for a period of 8 hours on 5 and 26 October 2022. Collectively, this DA Form 1380 reflects evidence of qualifying service equivalent to 9 retirement points in total.

c. DA Form 1380 dated 7 November 2022, reflective of the applicant's performance of qualifying service for "points only" on 4 November 2022 for a period of 4 hours (1 point total).

d. DA Form 1380 dated 1 December 2022, reflective of the applicant's performance of qualifying service for "points only" on 14 November 2022 for a period of 8 hours (2 points total).

4. On 15 September 2023, Headquarters, U.S. Army Reserve Command, Chief, Soldier Programs Branch, provided an advisory opinion recommending approval of the applicant's request.

5. On 26 September 2023, the applicant was provided with a copy of the advisory opinion and afforded 14 days to provide comments. As of 16 November 2023, the applicant has not responded.

6. DA Form 5016 (Chronological Statement of Retirement Points) dated 16 November 2023 fails to reflect evidence of retirement points awarded after 12 March 2022.

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 applicant performed qualifying service for "points only" on 16 and 28 October 2022 as well as 4 and 14 November 2022. He provided DA Forms 1380 to confirm performance of those duties. The Board reviewed and agreed with the USAR G-1 finding and determination that the applicant should be awarded the points in accordance with AR 140-185 and that full administrative relief should be granted.

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 awarding the applicant qualified retirement points for the period 16 and 28 October 2022 as well as 4 and 14 November 2022, provided all other criteria is met.

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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.

REFERENCE:

Army Regulation 140-185 (Training and Retirement Point Credits and Unit Level Strength and Accounting Records) prescribes the types of training and activities for which retirement points are authorized and the procedures for recording retirement point credits and training for U.S. Army Reserve (USAR) Soldiers. A qualifying year of service for non-regular retired pay is a full year during which a Reserve Component member is credited with a minimum of 50 retirement points.

a. Paragraph 2–2, (Criteria for Earning Retirement Points) states retirement points may be earned by USAR Soldiers for active duty (AD), or while in an active Reserve status, for ADT, initial active duty for training (IADT), involuntary active duty for training (involuntary ADT), AT, and IDT. Types of IDT are:

- regularly scheduled unit training includes UTA, and MUTA
- Regularly Scheduled Training (RST) other than UTA/MUTA
- make up assemblies for missed UTA/MUTA due to AT
- Equivalent Training (ET) in lieu of scheduled UTA/MUTA or RST
- additional training assemblies (ATA)
- two-hour unit training assemblies
- training of individual Soldiers in non-pay status.

b. Paragraph 2–4 (Criteria for Awarding Retirement Points) states, 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. Most types of IDT are covered by one of the following rules on required duration of IDT and calendar day limitations on points:

- one point for each scheduled 4-hour period of IDT at UTA, RST, ET, ATA, or make up assembly maximum of 2 points in 1 calendar day
- one point for each 2 hour or greater period
- two-hour aggregates of shorter periods may be used, except in the case of 2-hour unit training assembly's maximum of 1 point in 1 calendar day
- one point for each 2 hour or greater period
- two-hour aggregates of shorter periods may be used except in the case of 2-hour unit training assemblies
- award of a second point in the same day requires additional hours to bring the day's total to a minimum of 8, maximum of 2 points in 1 calendar day
- points may not be awarded under more than one of the rules above during any single calendar day
- Soldiers may not perform more than 48 BAs per fiscal year. Soldiers must perform RST within 60 days of the missed BA

c. Paragraph 3-3 (DA Form 1380) provides that DA Form 1380 will be prepared for a unit Soldier who performs equivalent training or additional training with their unit after the scheduled Battle Assembly. TPU units will retain one copy of the DA Form 1380 to post the appropriate entry into ADARS for the months report. Nonpaid DA Forms 1380 will not be entered into ADARS and will be forwarded to HRC for award of retirement points no later than the end of each duty month.

d. Paragraph 3-3b, states a DA Form 1380 will be prepared for a unit Soldier who performs equivalent training or additional training. The code "P" or "N" will be entered in item 10c before the retirement point credit. The code "P" indicates the Soldier is entitled to inactive duty pay for the duties performed; the code "N" indicates the Soldier is entitled to retirement point credit only.

//NOTHING FOLLOWS//