

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 January 2024

DOCKET NUMBER: AR20230003670

APPLICANT REQUESTS: retirement points for duty performed.

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

- DD Form 149 (Application for Correction of Military Record)
- DA Forms 1380 (Record of Individual Performance of Reserve Training), 15 June 2022, 15 July 2022; and 26 October 2022
- Troop Program Unit (TPU) Personnel Actions Checklist
- Memorandum, Subject: Delegation of Signature Authority for the 340th Psychological Operations Company

FACTS:

1. The applicant states, in effect, he needs to add retirement points to his record. He has the supplemental documents to provide points that are missing from his record. His points are missing due to the paperwork not being filed in a timely manner.

2. The applicant's service record contains the following documents:

a. On 14 January 2010, having had prior Regular Army enlisted service, DA Form 71 (Oath of Office - Military Personnel) shows the applicant completed the oath of office and was appointed as a Reserve commissioned officer.

b. DA Form 5016 (Chronological Statement of Retirement Points), dated 14 December 2023 shows the applicant has 12 years qualifying for retirement. It is void of his points from 1 May 2022 through 30 April 2023.

3. The applicant provides the following documents:

a. DA Forms 1380, dated 15 June 2022, 15 July 2022, and 26 October 2022, which show he performed duty on:

- 13 June 2022, 8 hours (2 retirement points)
- 14 June 2022, 8 hours (2 retirement points)

- 6 July 2022, 4 hours (1 retirement point)
- 1 November 2022, 4 hours (1 retirement point)
- 17 October 2022, 8 hours (2 retirement points)
- 18 October 2022, 8 hours (2 retirement points)
- 19 October 2022, 8 hours (2 retirement points)
- 20 October 2022, 8 hours (2 retirement points)
- 21 October 2022, 8 hours (2 retirement points)
- Total 16 points

All DA Forms 1380 were signed by Mr. [REDACTED] an officer having knowledge of the duties performed on 3 November 2022.

b. TPU Personnel Actions Checklist, dated 9 November 2022, shows which documents needed to be forwarded for award of retirement points. The document is not signed by the certifying Human Resources staff member.

c. Memorandum, Subject: Delegation of Signature Authority, dated 9 November 2022 shows Mr. [REDACTED] was authorized signature authority for correspondence for the commander.

4. On 22 November 2023, U.S. Army Reserve Command, Chief, Soldier Programs Branch, provided an advisory opinion, which states the applicant should be awarded 14 retirement points (sic). Full administrative relief was granted.

5. On 5 December 2023, the advisory opinion was provided to the applicant to allow him the opportunity to respond. 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 relief is warranted.

2. The Board concurred with the conclusion of the advisory official that the evidence in this case supports granting the requested relief. The Board noted the advisory opinion contains an error in the total number of additional retirement points that should be awarded to the applicant and determined the applicant's record should be corrected to show an additional 16 retirement points based on the DA Forms 1380 he provided.

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 updating his record of retirement points to reflect the additional 16 points documented on the DA Forms 1380 he provided documenting the following service:

- 13 June 2022, 8 hours (2 retirement points)
- 14 June 2022, 8 hours (2 retirement points)
- 6 July 2022, 4 hours (1 retirement point)
- 1 November 2022, 4 hours (1 retirement point)
- 17 October 2022, 8 hours (2 retirement points)
- 18 October 2022, 8 hours (2 retirement points)
- 19 October 2022, 8 hours (2 retirement points)
- 20 October 2022, 8 hours (2 retirement points)
- 21 October 2022, 8 hours (2 retirement points)

3/20/2024
X █
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.

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

- regularly scheduled unit training includes Unit Training Assemblies (UTA), and Multiple Unit Training Assemblies (MUTA)
- RST other than UTA/MUTA
- make up assemblies for missed UTA/MUTA due to AT
- 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 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

c. Paragraph 3-3(b) provides that 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 9c 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. TPU units will retain one copy of the DA Form 1380 to post the appropriate entry into ADARS for the month's report and then place in the appropriate Army records information management system file. Non-paid DA Form 1380s 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. The DA Form 1380 will be scanned into the Soldiers Integrated Personnel Electronic Records Management System record by the unit of assignment.

//NOTHING FOLLOWS//