

IN THE CASE OF: [REDACTED]

BOARD DATE: 12 September 2024

DOCKET NUMBER: AR20230003784

APPLICANT REQUESTS: correction of her reserve retirement points for duty performed.

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

- DD Forms 149 (Application for Correction of Military Record)
- DA Forms 1380 (Record of Individual Performance of Reserve Duty Training)

FACTS:

1. The applicant states, in her applications, she earned additional retirement points. Her unit failed to process her DA Forms 1380 for the award of her retirement points.

2. The applicant provides DA Forms 1380, which show she performed duty on:

- 13, 19, and 24 November 2020, 4 hours each day, 1 retirement point per day (3 total retirement points)
- 8, 19, 22, and 30 December 2020, 4 hours each day, 1 retirement point per day (4 total retirement points)
- 15 and 29 January 2021, 4 hours each day, 1 retirement point per day (2 total retirement points)
- 5, 12, 26, and 31 March 2021, 4 hours each day, 1 retirement point per day (4 total retirement points)
- 13, 25, and 28 May 2021, 4 hours each day, 1 retirement point per day (3 total retirement points)
- 16, 23, 25, and 30 June 2021, 4 hours each day, 1 retirement point per day (4 total retirement points)
- 14, 22, and 29 October 2021, 4 hours each day, 1 retirement point per day (3 total retirement points)
- 10, 18, 22, and 26 November 2021, 4 hours each day, 1 retirement point per day (4 total retirement points)
- 17 and 28 December 2021, 4 hours each day, 1 retirement point per day (2 total retirement points)

- 4, 5, 11, 13, 15, 19, 20, and 31 January 2022, 4 hours each day, 1 retirement point per day (8 total retirement points)
- 3, 4, 17, 18, and 22 February 2022, 4 hours each day, 1 retirement point per day, (5 total retirement points)
- 24 and 28 February 2022, 8 hours per day, 2 retirement points per day (4 total retirement points)
- 9, 14, 18, 20, 24, 25, and 31 March 2022, 4 hours per day, 1 retirement point per day (7 total retirement points)
- 4, 6, 10, 13, and 19 April 2022, 4 hours per day, 1 retirement point per day (5 total retirement points)
- 6, 9, 18, 20, 23, 24, and 26 May 2022, 4 hours per day, 1 retirement point per day (7 total retirement points)
- 2, 3, 25, 29, and 31 August 2022, 4 hours per day, 1 retirement point per day (5 total retirement points)
- 6, 8, 18, 20, 26, and 31 October 2022, 4 hours per day, 1 retirement point per day (6 total retirement points)
- 14 and 29 November 2022, 4 hours per day, 1 retirement point per day (2 total retirement points)
- 3, 15, 24, and 27 February 2023, 4 hours per day, 1 retirement point per day (4 total retirement points)
- 8, 13, and 16 March 2023, 4 hours per day, 1 retirement point per day (3 total retirement points)

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

a. Oath of Office shows she took the oath of office in the Army National Guard (ARNG) on 2 August 2008.

b. NGB Form 22 shows she was honorably discharged from the ARNG and transfer to U.S. Army Reserve (USAR) Control Group (Reinforcement).

c. DA Form 5016 (Chronological Statement of Retirement Points), 9 September 2024 shows she was in the USAR from 21 June 2015 through present. She received the following points:

- 21 June 2020 through 20 June 2021, 53 inactive duty points, 15 membership points, and 27 active duty points
- 21 June 2021 through 20 June 2022, 51 inactive duty points, 15 membership points, and 38 active duty points
- her USAR points are not listed beyond 20 June 2022
- she has completed 19 years and 2 days of qualifying service for retirement

4. On 25 January 2024, the Chief, Soldier Programs Branch, USAR Command (USARC) provided an advisory opinion, which states USARC reviewed her documents and determined she should not be awarded points based off Army Regulation (AR)140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). She did not submit DA Forms 1380 for points for duties performed outside of the scheduled battle assembly within the amount of time authorized. No commander statements were provided stating why this occurred in not one, but two commands over multiple months and multiple years. No administrative relief granted.

5. On 26 January 2024, the advisory opinion was provided to the applicant to allow her the opportunity to respond. On 16 July 2023 [sic] she responded stating:

a. She acknowledges she failed to provide enough information and context in her initial submission to the Board. She was unaware of what might be needed and after having her first submission approved, she assumed she could continue to submit them in the same way. She will attempt to summarize her experience attempting to request retirement points for work done between battle assemblies from September 2020 through August 2023.

b. Based on her continuous but unsuccessful attempts at submitting her DA Forms 1380, she believes she should be awarded the retirement points in contrary to the advisory opinion. She also acknowledges that the new process in the Integrated Personnel and Pay System-Army (IPPS-A) is transparent and easier to complete, but was not available at the time she performed the duty for which she is requesting points.

c. The process of submitting DA Forms 1380 continued over month after month with repeated attempts by email and in person. Multiple times the forms were lost, returned without action, returned for corrections, and repeatedly not processed. Each time she thought she finally understood how to receive credit, something would change, or a person would leave, and she would have to start over.

d. No one would process any of the DA Forms 1380 that were more than 60 days old, so she saved the old ones and started again with new ones, which is how she ended up with many, many months of DA Forms 1380.

e. In conversation over social media, she and several other officers asked Lieutenant General (LTG) [REDACTED] how they got points only DA Forms 1380 processed after units missed the deadline. The LTG told them that if the date on the request was past 60 days, their only recourse was to submit them to the Board. Once she found out the process to submit them, she started submitting her unprocessed DA Forms 1380 with the expectation that her retirement points would be awarded.

f. She took command of the 77th Special Troops Battalion in September 2020. She found out within the first few months that commanding her unit was going to take a significant amount of extra time out of her personal life. She was also told by multiple members of the 77th Sustainment Brigade that there were no management assemblies or additional training to pay commanders for the additional meetings and work requirements outside of battle assembly. She asked Lieutenant Colonel [REDACTED] the former commander, for advice on how to be compensated for her extra time. He stated she could request retirement points in lieu of being paid. Brigadier General [REDACTED] also told them multiple times they should be tracking their time and submitting points only DA Forms 1380 for the extra work expected of battalion commander. She immediately started filling out and submitted points only DA Forms 1380 for signature and then to her battalion S-1. She only submitted for a portion of the time she devoted to her unit and not all of it.

g. She was not familiar with the process of receiving points only. She had previously been on active duty or paid for the majority of the work she did outside of drill/battle assembly. Not knowing what to do, she sought instruction on how to submit the DA Forms 1380 from multiple sources. The Brigade Command Sergeant Major told her she had never seen any points awarded and did not believe the unit could do it. The applicant initially found the instructions for Individual Mobilization Augmentee Soldiers supporting the U.S. Military Academy recruiting mission and templated her DA Forms 1380 to match those. Eventually she had asked enough people that she received the USAR policy on requesting points only from a friend.

h. If she could get her DA Forms 1380 for points only signed by the commander or another officer aware of her work in a timely manner, she would submit them to her battalion S-1. He stated he had never submitted points only DA Forms 1380 and did not know how to do it. She supervised him asking the brigade S-1 for guidance. Their response was they also did not know how to submit them. She requested they contact the G-1 for guidance and they never received a response.

i. After receiving the USAR points only guide, she coached the S-1 remotely on how and who to submit them to. The guide specifically stated her S-1 or admin had to submit them on her behalf, she was not able to submit them herself. They got two months submitted on time only to have them returned for corrections. By the time she found out they needed corrections and returned them, the S-1 was told the Reserve Personnel Action Center (RPAC) had been delegated authority to process points only DA Forms 1380 and they were to submit them there. The S-1 then submitted the original DA Forms 1380, instead of the corrected ones, to the RPAC. After the back and forth to get RPAC the corrected forms, the RPAC then returned them without action for being submitted late without a letter of lateness. This was also at the same time she was in the process of leaving command and transferring to her new unit.

j. She arrived at her new unit just before the IPPS-A brown out. During that time and for several months after IPPS-A was active, they were unable to use the new PAR system. They had to wait for their unit to be correctly aligned under the Special Troops Battalion that was going to support them. In the meantime, her DA Forms 1380 were rejected for not being submitted in IPPS-A, but those that were submitted in IPPS-A were allowed to go past the 60 days required for processing without action.

k. As of September 2023, her unit is correctly aligned in IPPS-A. The Battalion S-1 processes PARs as they are submitted, and she has been able to receive points using points only requests.

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. Notwithstanding the recommendation of the advisory official, the Board found it inequitable that the applicant would be denied credit for duty performed solely based on the untimely submission of DA Forms 1380. The Board determined the applicant's record should be corrected by processing the DA Forms 1380 she provided with her application and updating her retirement points accordingly.

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 processing the DA Forms 1380 she provided in support of her application and updating her retirement points accordingly.

3/4/2025

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.

REFERENCES:

Army Regulation 140-185 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)
- 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 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//