

IN THE CASE OF: [REDACTED]

BOARD DATE: 6 March 2024

DOCKET NUMBER: AR20230006186

APPLICANT REQUESTS: retirement points credit for duties performed in the U.S. Army Reserve on 11 April 2022 and 25 April 2022.

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 1380 (Record of Individual Performance of Reserve Duty Training), for 11 and 25 April 2022
- Letter of lateness

FACTS:

1. The applicant states during COVID-19, his unit notified him on Covid refusal and cannot show to the unit for BA (battle Assembly). He completed medical appointments. The unit called him that he can return to BA, due to the situation. He was short in Retirement points, so he submitted his medical vouchers to make up for BA drill. The action was submitted multiple times, no updates have taken place. He wants his points to reflect on his DA Form 5016. The action was submitted to his Army Reserve Administrative personnel. RPAC submitted and he believes they all did their job to have records corrected. He provided the DA 1380 and Letter of Lateness since Nov 2022 to present. The last action we sent was March 2023. He was told to submit this action.

2. Review of the applicant's service records shows:

a. He served on active duty in the Regular Army from 15 May 2007 to 28 September 2015. He enlisted in the U.S. Army Reserve on 5 February 2015 to be effective following his separation from active duty.

b. On 8 July 2023, the U.S. Army Human Resources Command issued him a Notification of Eligibility for Retired Pay at Age 60 920-Year letter).

c. The applicant's DA Form 5016 (Retirement Accounting Statement) dated 13 June 2023 shows he completed 21 qualifying years of service towards non-regular retirement. A breakdown of his retirement pits for the contested period is as follows:

BEGIN DATE	END DATE	MIL PER CLASS	SERVICE TYPE	INACTIVE DUTY POINTS	EXT COURSE POINTS	MEMBER-SHIP POINTS	ACTIVE DUTY POINTS	QUALIFYING FOR RETIREMENT			POINTS EARNED	POINTS CREDIT-ABLE
								YRS	MOS	DAYS		
20200515	20210514	E	TPU	37	0	15	0	01	00	00	52	52
20210515	20220514	E	TPU	21	0	15	14	01	00	00	50	50
20220515	20221113	E	TPU	12	0	8	0	00	00	00	20	20
20221114	20230514	E	TPU	31	0	7	0	01	00	00	38	38
20230515		E	TPU	0	0	0	0	00	00	00	0	0

3. He provides:

a. DA Form 1380, dated 9 March 2023, signed by an official on 20 March 2023, for duties performed on 11 and on 25 April 2022, N-1, for points only.

b. Letter of lateness, dated 16 March 2023, signed by his company commander and states the DA Forms 1380 for retirement points only were submitted to RPAC at no fault of the Soldier. SM (service member) completed his duties and is authorized a retirement point for his service.

4. The U.S. Army Reserve Command provided an advisory opinion on 18 October 2023 in the processing of this case. The advisory official states: USARC reviewed the applicant’s documents and determined he should be awarded two (2) points based off AR 140-185. Full administrative relief granted.

5. The applicant was provided with a copy of this advisory opinion to give him an opportunity to respond and/or comment. He did not respond.

**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 Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant’s petition, available military records and U.S. Army Reserve Command-Soldier Program Branch advisory opinion, the Board concurred with the advising official recommendation for approval finding the applicant should be awarded two (2) points based on regulatory guidance AR 140-185. The Board determined there is sufficient evidence to show the applicant is awarded two (2) for retirement points credit for duties performed in the U.S. Army Reserve on 11 April 2022 and 25 April 2022. Therefore, the Board granted relief.

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 to show the applicant should be awarded two (2) points based on regulatory guidance AR 140-185 for retirement points credit for duties performed in the U.S. Army Reserve on 11 April 2022 and 25 April 2022.

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 Army Reserve Training and Retirement Point Credits and Unit Level Strength Accounting Records, contains Army policy for U.S. Army Reserve (USAR) training and retirement point credit. It also prescribes guidance for USAR unit level strength accounting. Paragraph 3-3 addresses the DA Form 1380.

- a. The purpose of this form is to record IDT (inactive duty training) by—

(1) TPU (Troop Program Unit) Soldiers performing IDT assemblies when pay is authorized, and the Soldier is not present to sign the IDT attendance roster.

(2) TPU Soldiers attached to another USAR unit for 89 or fewer days. In such cases the unit of attachment will prepare DA Form 1380 and forward to unit of assignment for recording attendance.

(3) Non-unit Soldiers under the jurisdiction of HRC (U.S. Army Human Resources Command) who are attached for retirement points only to USAR TPUs, ARNG (Army National Guard) units, or to another Service or component for training per AR 140–10. Only attached Soldiers are authorized to perform IDT with the exception of one annual physical health assessment each for medical and dental readiness when authorized by the command prior to the event. Note: Non-unit Soldiers attached for retirement point credit to IMA detachments are reported on DA Form 1379 for those units.

b. DA Form 1380 will be prepared for a unit Soldier who performs ET (Equivalent Training) or additional training with their unit subsequent to the scheduled BA (Battle Assembly). TPU units will retain one copy of the DA Form 1380 to post the appropriate entry into ADARS (Automated Drill Attendance Reporting Software) for (ADARS) for the month's report and then place in the appropriate Army records information management system file. 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. DA Form 1380 will be scanned into the Soldier's iPERMS by the unit of assignment per AR 600–8–104.

//NOTHING FOLLOWS//