

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: ██████████

BOARD DATE: 5 March 2024

DOCKET NUMBER: AR20230006537

APPLICANT REQUESTS: correction of his retirement points to reflect inclusion of service for points only performed for the retirement year beginning on 12 September 2021 and ending on 11 September 2022 for the period October 2021 to June 2022.

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

- DD Form 149 (Application for Correction of Military Record)
- Memorandum, Subject: Fiscal Year 2022 Battle Assembly Training Schedule, 2 July 2021
- Memorandum, Subject: Memorandum of Lateness for Retirement Points Only, 30 August 2022
- DA Forms 1380 (Record of Individual Performance of Reserve Duty Training), 30 August 2022 covering the period of October 2021 to June 2022

FACTS:

1. The applicant states, in pertinent part, his retirement points sheet shows that from October 2021 to June 2022 he did not attend drill weekend. His unit at the time coded him incorrectly which caused him to not be credited for the points. He would like to submit his retirement packet this year but will not be able to do so if the points are not fixed.

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

a. On 12 September 2003, he enlisted in the U.S. Army Reserve (USAR) for a period of 8 years.

b. On 28 July 2005, he enlisted in the New Jersey Army National Guard (NJARNG).

c. On 12 August 2005, Orders Number 05-224-00007 issued by Headquarters, 99th Regional Readiness Command retroactively released the applicant from the USAR for enlistment in the ARNG, effective 28 July 2005.

d. On 30 November 2006, NJARNG issued Orders Number 334-031 transferring him from Excess Personnel, Battery C, 3rd Battalion, 112th Field Artillery to Battery B, 3rd Battalion, 112th Field Artillery.

e. His NGB Form 22 (Report of Separation and Record of Service), dated 7 January 2015 reflects an honorable discharge from the NJARNG for enlistment in another component of the U.S. Armed Forces, with service from 28 July 2005 to 7 January 2015 and a net service this period of 9 years, 5 months, and 10 days.

f. On 12 December 2016, he enlisted in the USAR for a period of 3 years, and on 11 August 2019, he reenlisted in the USAR for an indefinite period.

g. The applicant's DA Form 5016 (Retirement Accounting Statement) dated 14 February 2024 shows for the retirement year ending on 11 September 2022, he earned 10 Inactive Duty Training (IDT) points, 15 membership points, and 16 Active Duty Training (ADT) points, totaling 41 total points creditable.

h. The applicant continues service with the USAR.

3. The applicant provides the following:

a. Memorandum, Subject: Fiscal Year 2022 Battle Assembly Training Schedule, dated 2 July 2021 showing the mandatory training dates for his assigned unit.

b. Memorandum, Subject: Memorandum of Lateness for Retirement Points Only dated 30 August 2022 stating, in effect, that the applicant's previous unit failed to correctly submit his retirement points request and the current unit is simply attempting to correct the issue.

c. DA Forms 1380 dated 30 August 2022 showing the applicant completed training on the following dates:

- 16 and 17 October 2021, for 8 hours each, totaling 4 retirement points
- 5 and 7 November 2021, for 8 hours each, totaling 4 retirement points
- 4 and 5 December 2021, for 8 hours each, totaling 4 retirement points
- 8 and 9 January 2022, for 8 hours each, totaling 4 retirement points
- 5 and 6 February 2022, for 8 hours each, totaling 4 retirement points
- 5 and 6 March 2022, for 8 hours each, totaling 4 retirement points
- 9 and 10 April 2022, for 8 hours each, totaling 4 retirement points
- 14 and 15 May 2022, for 8 hours each, totaling 4 retirement points
- 4 and 5 June 2022, for 8 hours each, totaling 4 retirement points

4. On 30 October 2023, the United States Army Reserve Command (USARC), Chief, Soldier Programs Branch, provided an advisory opinion recommending approval of the applicant's request stating, in effect, they reviewed the applicant's documents and determined he should be awarded 36 points based off Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records).

5. On 9 November 2023, the applicant was provided with a copy of the advisory opinion to provide a response. He provided a rebuttal agreeing with the advisory recommendation.

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 contends he is missing many retirement points beginning on 12 September 2021 and ending on 11 September 2022 for the period October 2021 to June 2022. The Board reviewed and agreed with the advisory official's finding the applicant should be awarded 36 points based off AR 140-185. Since the applicant performed the duties, The Board determined relief is warranted.

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 qualifying retirement points on the dates reflected on his submitted DA Forms 1380 between 2 September 2021 and ending on 11 September 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:

AR 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records), paragraph 3-3 (DA Form 1380) provides that the DA Form 1380 is utilized to record IDT performed by non-unit Soldiers under the jurisdiction of HRC who are attached for retirement points only to USAR Troop Program Units, Army National Guard units, or to another service or component for training. 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. Non-unit Soldiers attached for retirement point credit to IMA detachments are

reported on DA Form 1379 (U.S. Army Reserve Components Unit Record of Reserve Training) for those units.

a. 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.

b. With regard to awarding of retirement points for IDT (Four-Hour Rule), Service Members will be awarded one point for each 4-hour period of IDT duty performed. Maximum of two points per calendar day applies to IDT duty. Duty must be 8 hours in duration to receive two points per day.

//NOTHING FOLLOWS//