

IN THE CASE OF: [REDACTED]

BOARD DATE: 22 February 2024

DOCKET NUMBER: AR20230006542

APPLICANT REQUESTS: retirement points credit for duties performed on the following dates:

- 21, 22 and 23 October 2022
- 4, 5, and 6 November 2022
- 10 December 2022
- 21 and 22 January 2023
- 23 and 24 February 2023
- 10, 11, and 12 March 2023
- 4 April 2023

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

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

FACTS:

1. The applicant states his points should be updated for 2022 and 2023. For Fiscal Year 2022, retirement points were coded incorrectly. They gave him code N-1 instead of N-2 in Fiscal Year 2022. For Fiscal Year 2023, multiple DA Forms 1380 were uploaded to the virtual RPAC site during the brownout and after the brownout. His points were never updated, and he is missing a lot of retirement points.

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

a. He was born in [REDACTED] He had Regular Army/active duty service from 27 May 2004 to 17 December 2018.

b. He enlisted in the U.S. Army Reserve (USAR) on 11 September 2018 (to begin on his separation date from active duty). He reenlisted indefinitely on 22 June 2022.

c. On 13 October 2021, the U.S. Army Human Resources Command issued him a Notification of Eligibility or Retired Pay at Age 60 (20-Year Letter).

3. He provides multiple DA Forms 1380 as follows:

- DA Form 1380, dated 24 October 2022, for duties performed on 21 October 2022, for points only, signed by an officer on 24 October 2022
- DA Form 1380, dated 23 October 2022, for duties performed on 22 and 23 October 2022, for points only, signed by an officer on 24 October 2022
- DA Form 1380, dated 6 November 2022, for duties performed on 4, 5, and 6 November 2022, for points only, signed by a commissioned officer/commander
- DA Form 1380, dated 12 December 2022, for duties performed on 10 and 11 December 2022, for points only, signed by a commissioned officer/commander
- DA Form 1380, dated 22 January 2023, for duties performed on 21 January 2023, for points only, signed by a commissioned officer/commander on 22 January 2023
- DA Form 1380, dated 7 March 2023, for duties performed on 23 and 24 February 2023, for points only, signed by a commissioned officer/commander on 7 March 2023
- DA Form 1380, dated 12 March 2023, for duties performed on 10, 11, and 12 March 2023, for points only, signed by a commissioned officer/commander on 13 March 2023
- DA Form 1380, dated 13 April 2023, for duties performed on 4 April 2023, for points only, signed by a commissioned officer/commander on 13 April 2023

4. The applicant's DA Form 5016 (Retirement Accounting Statement), dated 14 December 2023, reflects his retirement points (for the relevant years) as follows:

- 2021-09-10 to 2022-09-09, 44 inactive duty points, 15 membership points, and 41 active duty points, total points 100
- 2022-09-10 to 2023-09-09, 34 inactive duty points, 15 membership points, 3 active duty points, total points 52

5. On 10 October 2023, the U.S. Army Reserve Command provided an advisory opinion in the processing of this case. An advisory official reviewed the applicant's documents and determined he should be awarded twenty-five (25) points based off Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Record). Full administrative relief granted.

6. The applicant was provided with a copy of this advisory opinion to give him an opportunity to submit a response/rebuttal. He did not respond.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, the Board determined relief was warranted. The applicant’s contentions, the military record, and regulatory guidance were carefully considered. Based upon the information provided by the applicant and the findings and recommendations of the USARC advisory official, the Board concluded there was sufficient evidence to add twenty-five (25) retirement points to the applicant’s record.

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 Army records of the individual concerned be corrected by adding twenty-five (25) retirement points to the applicant’s record for duty performed on the following dates:

- 21, 22 and 23 October 2022
- 4, 5, and 6 November 2022
- 10 December 2022
- 21 and 22 January 2023
- 23 and 24 February 2023
- 10, 11, and 12 March 2023
- 4 April 2023

5/15/2024

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.

REFERENCES:

1. Army Regulation 135-180 (Retirement for Non-Regular Service) prescribes policies and procedures governing non-regular retirement. After 30 June 1949, a Reservist must earn a minimum of 50 retirement points each retirement year to have that year credited as qualifying service. Only Soldiers assigned to an active status in a RC or individuals in active Federal service are authorized to earn retirement point credits. When a person is in an active status for a period less than a full retirement year, a minimum number of retirement points are required to be earned to have that period credited as qualifying service.
2. Army Regulation 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Record) sets responsibilities and procedures to retirement records prescribing the types of training and activities for which retirement points are authorized. The criteria for establishing the service requirement for a satisfactory year of service for non-regular retirement per DODI 1215.07 and changing the anniversary year ending date are as follows:

a. Paragraph 3-3(a) states the purpose of the DA Form 1380 is to record IDT by:

(1) TPU 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 who are attached for retirement points only to USAR TPUs, ARNG units, or to another Service or component for training per AR 140-10. Only attached Soldiers are authorized to perform IDT except for 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.

(4) Non-unit Soldiers performing other inactive duty training for retirement point credit as outlined in table 2-3.

b. Paragraph 3-3(b) provides that a DA Form 1380 will be prepared for a unit Soldier who performs equivalent training or additional training with their unit subsequent to the scheduled BA. 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 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//