

IN THE CASE OF: ██████████

BOARD DATE: 3 April 2024

DOCKET NUMBER: AR20230007900

APPLICANT REQUESTS: credit of 2 retirement points and correction of his DA Form 5016 (Chronological Statement of Retirement Points) to add this retirement point.

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)
- DA Form 5016 (Chronological Statement of Retirement Points)

FACTS:

1. The applicant states he has 2 retirement points that were not accounted for from December 2021 until July 2023. He is requesting points only correction during this time. He joined the Army Reserves on 21 December 2021. Prior to joining the Army Reserves as a TPU (troop program unit) soldier, he was in Active Army component from 2009-2016. Then in IRR (Individual Ready Reserve) until December 2021. He has volunteered for multiple duties within 63rd Readiness Division G4 section since December 2021. He was under the assumption that 1 good year in the Army reserves is from the date that he came in reserves from December 2021 to December 2022. He did not bother asking for points as he thought he has few more months to gain points. He found out in August that the cut-off date was actually based on his commission date of 10 July 2023. He then reached out to his Unit to submit a RPAC request (attached DA Form 1380 and reasoning) and it sat in the virtual cell to be address until now. In the meanwhile, the RPAC website changed, and his request was lost in the system. When reached out to the RPAC team again, he was told to submit a request to ACTS. He has his G4 OIC and his Rater vouch for the work he has done and the signed 1380. All he is asking for is to award his 2 points to have a good year.

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

a. He had prior enlisted service in the Regular Army (3 November 2009 to 9 January 2013). He was appointed a Regular Army commissioned officer of the Army and executed an oath of office on 10 January 2013, with continuous active service.

b. He was honorably released from active duty on 10 July 2016 and transferred to the U.S. Army Reserve Control (IRR).

c. He was promoted to captain in July 2019, in the U.S. Army Reserve.

3. He provides a DA Form 1380, dated 12 December 2022 for duties performed on 10 May and 30 May 2022, Code N-1, retirement points only. A commissioned officer signed this form.

4. The applicant’s DA Form 5016 (Retirement Accounting Statement) dated 18 July 2023 shows the applicant completed 8 qualifying years of service towards non-regular retirement. A breakdown of his retirement points for the relevant 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		
20200629	20210628	O	TPU	0	0	15	0	00	00	00	15	15
20210629	20220628	O	TPU	26	0	15	7	00	00	00	48	48
20220629	20221113	O	TPU	25	0	6	7	00	04	15	38	38
20221114	20230628	O	TPU	23	0	9	51	00	07	15	83	83
20230629		O	TPU	0	0	0	7	00	00	00	7	7
CAREER TOTALS				74	0	95	2640	08	00	00	2809	2809

5. The U.S. Army Reserve Command provided an advisory opinion on 6 November 2023, recommending approval. The advisory official reviewed the applicant’s documents and determined he should be awarded two (2) point based off Army Regulation (AR) 140-185; Army Reserve - Training and Retirement Point Credits and Unit Level Strength Accounting Records. Full administrative relief granted.

6. The applicant was provided with a copy of this advisory opinion to give him an opportunity to submit comments and/or additional documents. 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 Programs Branch advisory opinion, the Board concurred with the advising official recommendation for approval finding the applicant should be awarded two (2) points in accordance with regulatory guidance. The Board determined there is sufficient evidence to support the applicant’s contentions for credit of 2 retirement points and correction of his DA Form 5016 (Chronological Statement of Retirement Points) to add this retirement point. 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 credit of 2 retirement points and correction of the applicant’s DA Form 5016 (Chronological Statement of Retirement Points) to add this retirement points.

5/14/2024

X █

CHAIRPERSON

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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.

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//