

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 9 April 2024

DOCKET NUMBER: AR20230007901

APPLICANT REQUESTS: Correction of his DA Form 5016 (Retirement Accounting Statement) to show the following:

- Retirement Year Ending (RYE) 9 May 2022 – 14 retirement points
- RYE – 13 November 2022 - 26 retirement points
- RYE 9 May 2023 – 17 retirement points

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) January 2022, March 2022, April 202, May 2022, June 2022, July 2022
- DA Form 1380, August 2022, September 2022, October 2022, November 2022, December 2022, January 2023, February 2023

FACTS:

1. The applicant states in pertinent part, the DA Forms 1380 for points only were not added to his record. He was assigned to the 9th Theater Support Group who did not have the access to submit the DA Forms 1380 to the U.S. Army Human Resources Command (HRC). The 63rd Readiness Division (RD) was the servicing RD and was not processing DA Forms 1380 due to the fact they claimed the 63rd RD did not service his unit. Additionally, the Integrated Personnel and Pay System-Army (IPPS-A) migration happened and there was a brown out preventing the addition of the DA Forms 1380.

2. A review of the applicant's official record shows the following:

- a. On 10 May 1991, the applicant enlisted in the U.S. Army Reserve (USAR)
- b. On 2 April 1992, the applicant enlisted in the Regular Army and served on active duty until 1 April 1998.
- c. On 17 April 1999, the applicant enlisted in the USAR and continues service.

d. On 13 June 2013, HRC, issued a Memorandum, Subject: Notification of Eligibility for Retired Pay at Age 60 which informed the applicant he had completed the required number of years to be eligible for retired pay.

e. DA Form 5016 shows the applicant earned the following points for RYE:

- 9 May 2022, 98 Inactive Duty Training (IDT) points, 15 membership points, 24 Active Duty Training (ADT) points, totaling 137 total points creditable
- 13 November 2022, 25 IDT points, 8 membership points, 40 ADT points, totaling 74 total points creditable
- 9 May 2023, 38 IDT points, 7 membership points, 34 ADT points, totaling 79 total points creditable

3. The applicant provides:

a. DA Form 1380 dated 27 January 2022 showing for the periods 5, 19, and 27 January 2022, the applicant earned 4 hours each day totaling three retirement points for completing command emails and tasks.

b. DA Form 1380 dated 30 March 2022 showing for the periods 3, 17, and 24 March 2022 the applicant earned 4 hours each day totaling three retirement points. For the period 30 March 2022, he earned 2 retirement points, totaling two retirement points for completing command emails and tasks.

c. DA Form 1380 dated 27 April 2022 showing for the periods 1, 8, 13, 19, and 27 April 2022, the applicant earned 4 hours each day totaling five retirement points for completing command emails and tasks.

d. DA Form 1380 dated 25 May 2022 showing for the periods 4, 11, 18, and 25 May 2022, the applicant earned 4 hours each day totaling four retirement points for completing command emails and tasks.

e. DA Form 1380 dated 29 June 2022 showing for the periods 8, 15, 22, and 29 June 2022, the applicant earned 4 hours each day totaling four retirement points for completing command emails and tasks.

f. DA Form 1380 dated 31 July 2022 showing for the periods 6, 18, and 29 July 2022, the applicant earned 4 hours each day totaling three retirement points for completing command emails and tasks.

g. DA Form 1380 dated 31 August 2022 showing for the periods 3, 10, 17, 20, and 24 August 2022, the applicant earned 4 hours each day totaling five retirement points for completing command emails and tasks.

h. DA Form 1380 dated 30 September 2022 showing for the periods 1, 14, 17, 18, and 29 September 2022, the applicant earned 4 hours each day totaling five retirement points for completing command emails and tasks.

i. DA Form 1380 dated 31 October 2022 showing for the periods 6, 12, 19, 26, and 28 October 2022, the applicant earned 4 hours each day totaling five retirement points for completing command emails and tasks.

j. DA Form 1380 dated 30 November 2022 showing for the periods 9, 16, 23 and 30 November 2022, the applicant earned 4 hours each day totaling four retirement points for completing command emails and tasks.

k. DA Form 1380 dated 31 December 2022 showing for the periods 6, 8, 12, 16, 22, and 30 December 2022, the applicant earned 4 hours each day totaling six retirement points for completing command emails and tasks.

l. DA Form 1380 dated 31 January 2023 showing for the periods 5, 19, and 25 January 2023, the applicant earned 4 hours each day totaling three retirement points for completing command emails and tasks.

m. DA Form 1380 dated 28 February 2023 showing for the periods 8, 15, 17, 24, and 28 February 2023, the applicant earned 4 hours each day totaling five retirement points for completing command emails and tasks.

n. All DA Forms 1380 were signed by Lieutenant Colonel P- P- acting commander.

4. On 22 November 2023, in the processing of this case, the U.S. Army Reserve Command, Chief, Solider Programs Branch, provided an advisory opinion recommending approval stating the applicant should be awarded 61 points based off Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records).

5. On 4 December 2023, the applicant was provided with a copy of the advisory opinion for comment or rebuttal. 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 applicant's contentions, the military record, and regulatory guidance were carefully considered. The applicant contends the DA Forms 1380 for points only were not added to his record. He was assigned to the 9th Theater Support Group who did not have the access to submit the DA Forms 1380 to HRC. According to the submitted DA Form 1380, the applicant

performed the duties and qualified for retirement points for those duties performed. The Board was persuaded by his argument that administrative errors occurred in not timely and properly processing his retirement points. The Board also agreed with the USARC determination that the applicant should be awarded sixty one (61) retirement points, based off AR 140-185, (Training and Retirement Point Credits and Unit Level Strength Accounting Records). The Board determined that administrative 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 61 qualifying retirement points, based on his submitted DA Forms 1380, 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.

REFERENCES:

1. AR 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records):

a. Paragraph 2-2 (Criteria for earning retirement points) states retirement points may be earned by U.S. Army Reserve Soldiers for active duty or duty in an active status for active duty for training (ADT), initial active duty for training (IADT), involuntary active duty for training (involuntary ADT), voluntary IDT, annual training (AT), IDT, membership points, and for other activities specified in this regulation.

- Four-hour rule; Soldiers earn one point for each scheduled 4-hour period of IDT at Battle Assembly, Rescheduled Training (RST), Equivalent Training, or Additional Training Assemblies
- Two-hour rule; Soldiers earn one point for each IDT period per day for funeral honors duty with a maximum of one point per calendar day
- Four/eight-hour rule; Soldiers earn one point for each 4 hour or greater period, award of a second point in the same day requires additional hours to bring the day's total to a minimum of 8 hours for a maximum of two points in 1 calendar day

b. Paragraph 3-3 (DA Form 1380) states nonpaid DA Forms 1380 will not be entered into Automated Drill Attendance Reporting Software (ADARS) and will be forwarded to HRC for award of retirement points no later than the end of each duty month.

c. Table 3-1 provides that the code "N" will be entered for RST. The code "N" indicates the Soldier is entitled to retirement point credit only.

2. Department of Defense Instructions 1215.07 (Service Credit for Non-Regular Retirement) states inactive duty may be credited for each attendance at an inactive duty training period. A maximum of 2 retirement points for attendance at inactive duty training periods or equivalent training, in any 1 calendar day. The Service member's participation is without payment other than the pay to which the Service member is entitled as a Reserve Component member. Credit no more than one retirement point for fewer than 8 hours.

//NOTHING FOLLOWS//