

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 March 2024

DOCKET NUMBER: AR20230007905

APPLICANT REQUESTS: retirement points credit for additional duties performed in the U.S. Army Reserve between 31 October 2022 and 31 March 2023

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

- DD Form 149 (Application for Correction of Military Record)
- Email Exchange with his Reserve Personnel Action Center
- DA Form 1380 (Record of Individual Performance of Reserve Duty Training), 31 May 2023 (password protected)

FACTS:

1. The applicant states he participated in additional duty (conference calls that equaled 4 hours a month) in lieu of his regular Battle Assembly with his unit, but he did not get paid. He was told by his chain of command that he could submit for retirement points to compensate for the time he invested on a monthly basis. He submitted his time to the RPAC supporting his unit and was told that they could not update his retirement points because the time he was submitting for was over 60 days from the time he performed duty so he would have to submit for an update to his military records to get this fixed.

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

a. He enlisted in the U.S. Army Reserve on 10 August 1988. He served through multiple reenlistments in a variety of assignments, including active-duty mobilization.

b. On 10 September 2009, the U.S. Army Human Resources Command issued him a Notification of Eligibility for Retired Pay at Age 60 (20-Year Letter).

c. He provides a DA Form 1380, initiated on 31 May 2023, signed by an Operations Officer on 13 June 2023, for duties Coded as N-1, Points Only on: 31 October 2022; 30 November 2022, 31 December 2022, 31 January 2023, 28 February 2023, and 31 March 2023.

d. The applicant’s DA Form 5016 (Retirement Accounting Statement), dated 8 September 2023, shows he completed 31 qualifying years of service towards non-regular retirement. A breakdown of his retirement points for the relevant period shows:

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		
20190810	20200809	E	TPU	54	0	15	27	01	00	00	96	96
20200810	20210809	E	TPU	56	0	15	28	01	00	00	99	99
20210810	20220809	E	TPU	42	0	15	17	01	00	00	74	74
20220810	20221113	E	TPU	11	0	4	4	00	03	05	19	19
20221114	20230809	E	TPU	30	0	11	16	00	08	26	57	57
20230810		E	TPU	0	0	0	0	00	00	00	0	0
CAREER TOTALS				1468	0	525	2137	34	00	00	4120	4120

3. The U.S. Army Reserve Command provided an advisory opinion on 16 November 2023, recommending approval. The advisory official reviewed the applicant’s documents and determined he should be awarded six (6) points based off Army Regulation (AR) 140-185; Army Reserve - Training and Retirement Point Credits and Unit Level Strength Accounting Records. Full administrative relief granted.

4. The applicant was provided with a copy of this advisory opinion to give her an opportunity to submit comments and/or additional documents. She 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 Headquarters, U.S. Army Reserve Command-Soldiers Programs Branch, the Board concurred with the advising official recommendation determining the applicant should be awarded six (6) points based on regulatory guidance 140-185. The Board agreed there is sufficient evidence to award retirement points credit for additional duties performed in the U.S. Army Reserve between 31 October 2022 and 31 March 2023. Based on this, 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 is awarded six (6) retirement points credit for additional duties preformed in the U.S. Army Reserve between 31 October 2022 and 31 March 2023

4/8/2024

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//