

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 April 2024

DOCKET NUMBER: AR20230008239

APPLICANT REQUESTS: correction of his retirement points to reflect inclusion of service for points only performed for the retirement period covering January, April, and May 2022 for the Retirement Year Ending (RYE) on 13 November 2022.

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

- DD Form 149 (Application for Correction of Military Record)
- (3) DA Forms 1380 (Record of Individual Performance of Reserve Duty Training), 31 January 2022, 30 April 2022, and 1 May 2022

FACTS:

1. The applicant states, in pertinent part, his DA Forms 1380 were turned in but not entered into the system in a timely manner. Due to the time frame, they can no longer be completed by his unit.

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

a. On 6 April 2002, having had prior enlisted service in the Army National Guard (ARNG):

(1) The Military Department of Arkansas, Office of the Adjutant General issued Orders Number 096-001 appointing him as a second lieutenant with the Arkansas Army National Guard (ARARNG).

(2) National Guard Bureau (NGB) Form 337 (Oaths of Office) shows he was appointed as a Reserve commissioned officer in the ARARNG and executed an oath of office.

b. On 10 January 2010, the Military Department of Arkansas, Office of the Adjutant General issued a Memorandum for Notification of Eligibility for Retired Pay at Age 60 (Twenty Year Letter).

c. DA Form 5016 (Retirement Accounting Statement) dated 20 January 2024 shows for the RYE on 13 November 2022, the applicant earned 65 Inactive Duty Training (IDT) points, 13 membership points, 229 Active Duty Training (ADT) points, totaling 307 total points creditable.

d. He continues service with the ARARNG.

3. The applicant provides a/an:

a. DA Form 1380 dated 31 January 2022 showing the applicant completed training on 1, 2, 13, 18, 20, 22 and 23 January 2022, for 4 hours each conducting command administrative duties, totaling 7 retirement points. The form was endorsed by Mr. JE.

b. DA Form 1380 dated 30 April 2022 showing the applicant completed training on 11, 13, 15, 23, and 30 April 2022, for 4 hours each conducting command administrative duties, totaling 5 retirement points. The form was endorsed by Sergeant First Class EB.

c. DA Form 1380, dated 1 May 2022 showing the applicant completed training on 1 May 2022, for 4 hours conducting command administrative duties, totaling 1 retirement point. The form was endorsed by Mr. JE.

4. On 22 January 2024, the U.S. Army Reserve Command, Chief, Soldier Programs Branch, provided an advisory opinion recommending approval of the applicant's request stating, in effect, they reviewed the documents and determined he should be awarded thirteen (13) points based off Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). The applicant submitted his DA Forms 1380 for points for duties performed outside of scheduled Battle Assembly. Due to the Unit's administrative errors, it could not be processed in a timely manner. A favorable decision will allow the Readiness Divisions to process the DA Forms 1380 for retirement points.

5. On 25 January 2024, the applicant was provided with a copy of the advisory opinion to provide a response. As of 8 February 2024, he did not respond.

BOARD DISCUSSION:

1. The applicant's contentions, the military record, and regulatory guidance were carefully considered. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found relief was warranted.

2. The Board concurs with the advisory opinion; the applicant should be awarded thirteen (13) points because he submitted his DA Forms 1380 for points, for duties

performed outside of scheduled Battle Assembly, but due to the administrative errors at his unit's level, his DA Forms 1380 could not be timely processed.

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 showing the Army Human Resources command timely received, timely processed, and awarded the points noted on the following DA Forms 1380:

- 31 January 2022- awarded 7 retirement points
- 30 April 2022 - awarded 5 retirement points
- 1 May 2022 - awarded 1 retirement point

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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.

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//