

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 19 April 2024

DOCKET NUMBER: AR20230009131

APPLICANT REQUESTS: correction of his service records to reflect 20 additional retirement points for:

- 4 points for Retirement Year Ending (RYE) 13 November 2022
- 8 points for RYE 31 January 2023
- 8 points for RYE 6 July 2023

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

- DD Form 149 (Application for Correction of Military Record)
- Orders Number 077093, 25 April 2022
- Unit Transaction Log
- Approval chain
- Troop Program Unit (TPU) Personnel Actions Checklist
- Memorandum – Subject: 933rd Forward Resuscitative Surgical Detachment (FRSD) Signature Authority Memorandum, 15 February 2023
- Memorandum – Subject: Letter of Lateness for DA Form 1380 Submission, 7 March 2023
- DA Form 1380 (Record of Individual Performance of Reserve Duty Training)

FACTS:

1. The applicant states in pertinent part that he has served in both the active component and Reserve component since 2002. He is currently serving in the U.S. Army Reserve (USAR) with a projected retirement date of 7 July 2023. Upon review of his retirement points he noted that the information did not appear to be correct and would therefore like his records to be corrected in order to accurately reflect all qualifying service that he has completed.

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

- a. On 1 February 2002, the applicant enlisted in the USAR for 8 years.
- b. On 13 September 2007, the applicant enlisted in the Regular Army for 3 years.

- c. On 25 May 2011, the applicant reenlisted in the Regular Army for 4 years.
- d. On 18 February 2015, the applicant reenlisted in the Regular Army for 5 years.
- e. On 15 January 2021, the applicant was honorably released from active duty and transferred into a TPU.
- f. On 11 July 2022, the applicant was issued a Notification of Eligibility for Retired Pay at Non-Regular Retirement (20-Year Letter).
- g. On 19 May 2023, the U.S. Army Human Resources Command issued Orders Number 4797226 reassigning the applicant to the U.S. Army Reserve (Retired Reserve), effective 7 July 2023.
- h. DA Form 5016 (Retirement Accounting Statement) shows the applicant earned the following points for RYE:
  - 13 November 2022; 18 Inactive Duty Training (IDT) points, 12 membership points, 44 Active Duty Training (ADT) points, totaling 74 points creditable
  - 31 January 2023; 4 IDT points, 3 membership points, totaling 7 points creditable
  - 6 July 2023; 12 IDT points, 6 membership points, 4 ADT points, totaling 22 points creditable

3. The applicant provides the following:

- a. Orders Number 077093 dated 25 April 2022, reflective of the applicant being ordered to Annual Training (AT) for 14 days, effective 17 July 2022.
- b. Unit Transaction Log reflective of the applicant being authorized Basic Allowance Housing – Reserve Component (without dependents) from 17-30 July 2022, drill attendance 22-23 October 2022, 5-6 November 2022, and 7-8 January 2023.
- c. Approval chain reflective of the applicant being awarded retirement points for January and March 2023 only. The applicant was directed to submit the additional DA Forms 1380 to this Board.
- d. TPU Personnel Actions Checklist, reflective of the documents submitted (DA Forms 1380) with the applicant's request for correction of his retirement points. The applicant submitted DA Form 1380 (for points only) for the months of July, October, November 2022; January and March 2023.

e. Memorandum – Subject: 933rd FRSD Signature Authority Memorandum dated 15 February 2023, reflective of First Lieutenant E- B- and Sergeant B- P- being individuals authorized to sign on behalf of the commander.

f. Memorandum – Subject: Letter of Lateness for DA Form 1380 Submission dated 7 March 2023, reflective of the submitted justification pertaining to the delayed submission of the applicant's DA Form 1380 noting that this was not at the fault of the applicant but rather his assigned Army Reserve Administrator (ARA). During the period that the applicant performed the duties, his ARA was often out of the office performing Temporary Duty at other locations and unaware of the applicant's activities.

g. DA Form 1380 dated 24 October 2022, reflective of the applicant's performance of qualifying service, 8 hours per day "for points only" from 22-23 October 2022 (4 points total).

h. DA Form 1380 dated 7 November 2022, reflective of the applicant's performance of qualifying service, 8 hours per day "for points only" from 5-6 November 2022 (4 points total).

i. DA Form 1380 dated 9 January 2023, reflective of the applicant's performance of qualifying service, 8 hours per day "for points only" from 7-8 January 2023 (4 points total).

j. DA Form 1380 dated 6 March 2023, reflective of the applicant's performance of qualifying service, 8 hours per day "for points only" from 2-5 March 2023 (8 points total).

4. A review of the applicant's detailed points history available within the Soldier Management System – Web (SMS-Web) is void of evidence of points previously awarded for the periods reflected on the DA Forms 1380. However, his records do reflect 14 points awarded for the period reflected on the submitted Orders Number 077093.

5. On 17 November 2023, the U.S. Army Reserve Command, Chief, Soldier Programs Branch, provided an advisory opinion recommending approval of the applicant's request noting that he should be awarded 20 additional points.

6. On 4 December 2023, the applicant was provided with a copy of the advisory opinion and afforded 15 days to provide comments. As of 10 April 2024, the applicant has not responded.

**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 review based on law, policy, and regulation. The Board reviewed and concurred with the U.S. Army Reserve Command's advising official and determined the evidence supports the applicant submitted his DA Forms 1380 for the retirement years ending (RYE) 13 November 2022, 31 January 2023, and 6 July 2023, totaling 20 additional retirement points.

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 qualifying retirement points on the dates indicated below, provided all other criteria is met:

- 4 retirement points for the retirement year ending 13 November 2022
- 8 retirement points for the retirement year ending 31 January 2023
- 8 retirement points for the retirement year ending 6 July 2023

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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:

Army Regulation 140-185 (Training and Retirement Point Credits and Unit Level Strength and Accounting Records) prescribes the types of training and activities for which retirement points are authorized and the procedures for recording retirement point credits and training for U.S. Army Reserve (USAR) Soldiers. A qualifying year of service for non-regular retired pay is a full year during which a Reserve Component member is credited with a minimum of 50 retirement points.

a. Paragraph 2–2, (Criteria for Earning Retirement Points) states retirement points may be earned by USAR Soldiers for active duty (AD), or while in an active Reserve status, for ADT, initial active duty for training (IADT), involuntary active duty for training (involuntary ADT), AT, and IDT. Types of IDT are:

- regularly scheduled unit training includes UTA, and MUTA
- Regularly Scheduled Training (RST) other than UTA/MUTA
- make up assemblies for missed UTA/MUTA due to AT
- Equivalent Training (ET) in lieu of scheduled UTA/MUTA or RST
- additional training assemblies (ATA)
- two-hour unit training assemblies
- training of individual Soldiers in non-pay status.

b. Paragraph 2-3 (Qualification and Eligibility for Earning Retirement Points) provides that all USAR Soldiers are classified into alphabetic training/pay categories (T/PC) for determination of individual requirements for paid IDT and AT (see AR 140-1). These categories determine individual status in the RR (Selected Reserve (SELRES), IRR, and the Standby Reserve (active and inactive)).

c. Paragraph 2–4 (Criteria for Awarding Retirement Points) states, personnel on AD, ADT, IADT, involuntary ADT, or AT are awarded 1 point for each calendar day they serve in one of these categories and may not be awarded additional points for other activities while in such status. Most types of IDT are covered by one of the following rules on required duration of IDT and calendar day limitations on points:

- one point for each scheduled 4-hour period of IDT at UTA, RST, ET, ATA, or make up assembly maximum of 2 points in 1 calendar day
- one point for each 2 hour or greater period
- two-hour aggregates of shorter periods may be used, except in the case of 2-hour unit training assembly's maximum of 1 point in 1 calendar day
- one point for each 2 hour or greater period
- two-hour aggregates of shorter periods may be used except in the case of 2-hour unit training assemblies

- award of a second point in the same day requires additional hours to bring the day's total to a minimum of 8, maximum of 2 points in 1 calendar day
- points may not be awarded under more than one of the rules above during any single calendar day
- Soldiers may not perform more than 48 BAs per fiscal year. Soldiers must perform RST within 60 days of the missed BA.

d. Paragraph 3-3 (DA Form 1380) provides that DA Form 1380 will be prepared for a unit Soldier who performs equivalent training or additional training with their unit after the scheduled Battle Assembly. TPU units will retain one copy of the DA Form 1380 to post the appropriate entry into ADARS for the months report. 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.

e. Paragraph 3-3b, states a DA Form 1380 will be prepared for a unit Soldier who performs equivalent training or additional training. The code "P" or "N" will be entered in item 9c before the retirement point credit. The code "P" indicates the Soldier is entitled to inactive duty pay for the duties performed; the code "N" indicates the Soldier is entitled to retirement point credit only.

//NOTHING FOLLOWS//