

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 April 2024

DOCKET NUMBER: AR20230009343

APPLICANT REQUESTS: in effect, correction of his record to show the submitted DA Form 1380 (Record of Individual Performance of Reserve Duty Training) dated 11 June 2021 was accepted and added to his record for the anniversary year of 20 September 2020 to 19 September 2021.

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 1380, 11 June 2021
- Memorandum for Record (MFR) - Subject: Signature Delegation Authority, 12 August 2022
- Memorandum - Subject: Letter of Lateness, DA Form 1380 Retirement Points Only submission, [applicant], 15 November 2022
- Email communication, October - December 2022

FACTS:

1. The applicant states, he needs his retirement points updated. Ten (10) points were not recorded in June 2021. Points were submitted to his Unit Administrator in a timely fashion. The points were not recorded and later on the unit could not figure out who was in charge of recording retirement points as the responsibility shifted between the U.S. Army Human Resources Command (HRC), Regional Readiness Directorates, and local Troop Program Unit. Over the last two years, neither HRC, his Command, nor the Regional Readiness Directorate have been able to go back to correct it and have directed him to send the paperwork to the Army Review Boards Agency (ARBA) for correction. He has now submitted this through email, fax, electronic Personnel Actions Tracking System, and Integrated Personnel and Pay System - Army, and all were eventually returned with direction to submit through ARBA.

2. A review of the applicant's official military records show the following:

a. He completed and signed DA Form 597-3 (Army Senior Reserve Officers' Training Corps (ROTC) Scholarship Cadet Contract), which shows he enrolled as an ROTC cadet at the University of Illinois at Chicago on 5 August 2002.

b. On 20 June 2004, DA Form 71 (Oath of Office - Military Personnel) shows he was appointed as a Reserve commissioned officer and executed an oath of office.

c. On 31 October 2022, HRC issued him a Notification of Eligibility for Retired Pay at Non-Regular Retirement (20-Year Letter).

d. His record contained DA Form 5016 (Retirement Accounting Statement) dated 3 September 2023, which shows the applicant's total career retirement points earned as 976 Inactive Duty Training (IDT), 90 extension course, 311 membership, 4816 Active Duty Training (ADT), 1 year qualifying for retirement (sic), 5979 points earned and creditable. In pertinent part, it also shows for the completed anniversary year of 20 September 2020 to 19 September 2021, he earned the following retirement points:

- 92 IDT points
- 15 membership points
- 248 ADT points
- 1 year qualifying for retirement
- 355 points earned
- 355 points creditable

e. DA Form 5016 (Chronological Statement of Retirement Points) dated 21 March 2024, shows in pertinent part, a total of 876 IDT points, 90 extension course points, 300 membership points, 4787 ADT points, 20 years qualifying for retirement, and 5839 points creditable. It also shows for the completed anniversary year of 20 September 2020 to 19 September 2021, he earned the following retirement points:

- 92 IDT points
- 15 membership points
- 248 active duty points
- 1 year qualifying for retirement
- 355 total points creditable

3. The applicant provides:

a. DA Form 1380 dated 11 June 2021, which was submitted for points only during the completed anniversary year of 20 September 2020 to 19 September 2021. The form is signed by the S-3, Lieutenant Colonel E_ D_, and shows dates, hours, retirement points, location of duties, nature of duties, training or instruction, as follows – from 7 to 11 June 2021 for 8 hours each day, N2 (nonpaid), he executed "Task Force Oceania Post Mobilization Requirements, 322 Civil Affairs Brigade, Fort Shafter Flats, HI"; totaling: 10 points.

b. MFR - Subject: Signature Delegation Authority, dated 12 August 2022, which shows the commander delegated signature authority to sign any routine official personnel actions, memorandums, and military correspondence on his behalf as required in accordance with Army Regulations to Sergeant First Class J_ R_ (Brigade S-1 Noncommissioned Officer in Charge).

c. Memorandum - Subject: Letter of Lateness, DA Form 1380 Retirement Points Only submission, [applicant], dated 15 November 2022, wherein, the commander stated, the DA Form 1380 for the applicant for the period of 7 to 11 June 2021 was late due to numerous administrative changes and processes concerning the DA Form 1380 Retirement for Points Only and the unit's increased operational tempo due to mission planning.

d. Email communication during the period of October to December 2022, between the applicant, Brigade S-1, and 9th Mission Support Command G-1, discussing the resubmission and status of the applicant's DA Form 1380 for retirement points only.

4. On 28 December 2023, Headquarters, U.S. Army Reserve Command (USARC), Chief, Soldier Programs Branch, provided an advisory opinion for this case and recommended granting full administrative relief. The advisory official stated, USARC reviewed the applicant's documents and determined he should be awarded 10 points based off Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). The applicant submitted DA Form 1380 for points for duties performed outside of the 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 Form 1380 for retirement points.

5. The applicant responded to the USARC advisory opinion by email and stated, the advisory opinion from USARC is in line with what he is requesting and is good to go.

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 that relief was warranted.

2. The Board concurs with the advisory opinion from Headquarters, USARC, Chief, Soldier Programs Branch, which recommended granting full administrative relief by awarding the applicant an additional 10 retirement points.

3. The applicant submitted DA Forms 1380 for points for duties performed outside of the scheduled Battle Assembly. These forms were not timely processed due to the unit's administrative errors.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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:	:	:	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:

- a. correcting record to show his DA Form 1380 (Record of Individual Performance of Reserve Duty Training), dated 11 June 2021 was properly completed, timely received, approved, processed, and that he was awarded 10 non-paid/for points only retirement points.
- b. issuing him a corrected DA Form 5016 (Chronological Statement of Retirement Points) based on the above correction.

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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 140-1 (Mission, Organization, and Training) provides policy guidance on the mission, organization, and training of the U.S. Army Reserve. Paragraph 3-26 (Training of individual Soldiers in a non-pay status) states, Soldiers in an active status may take part in individual inactive duty training (IDT) in a non-pay training status when authorized by the appropriate commander. In pertinent part, individual training opportunities with retirement point credit are shown below:

- attachment to appropriate Reserve Component Troop Program Units (TPU)
- attachment to Active Army units
- attachment to reinforcement training units as appropriate
- participation in approved training projects or using administrative skills in support of TPU and USAR activities
- attendance at Army service or Army area school training
- enrollment in appropriate extension courses
- attendance at authorized conventions, professional conferences, or appropriate trade association meetings related to the individual's mobilization specialty
- conducting or reviewing medical examinations, and related medical duties
- recruiting duties as described in AR 140–185

2. AR 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records) contains Army policy for U.S. Army Reserve training and retirement point credit. It also prescribes guidance for USAR unit level strength accounting.

a. Paragraph 1-7 (Service requirement for a satisfactory year of service for non-regular retirement) states, 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. Except as otherwise provided by law, an accumulation of 20 such years is one requirement necessary to qualify for non-regular retired pay.

b. Paragraph 2-1 (Criteria for crediting retirement points) states, IDT will be either 4 hours in length for one retirement point or 8 hours in length for two retirement points.

c. Paragraph 3-3b (DA Form 1380) states, DA Form 1380 will be prepared for a unit Soldier who performs equivalent training or additional training with their unit subsequent to the scheduled Battle Assembly. Troop Program Units will retain one copy of the DA Form 1380 to post the appropriate entry into Automated Drill Attendance Reporting Software (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.

//NOTHING FOLLOWS//