

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 7 June 2024

DOCKET NUMBER: AR20230010417

APPLICANT REQUESTS: in effect, correction of his record to show the submitted DA Forms 1380 (Record of Individual Performance of Reserve Duty Training) were accepted and added to his record for the anniversary years of:

- 11 August 2021 to 10 August 2022
- 11 August 2022 to 10 August 2023

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

- DD Form 149 (Application for Correction of Military Record)
- Four DA Forms 1380, 2 May 2022, 5 June 2022, 9 July 2022, and 1 February 2023
- Two Troop Program Unit (TPU) Personnel Actions Checklists, 24 May 2022 and 22 July 2022
- Approval Chain screenshot, 31 July 2023

FACTS:

1. The applicant states his retirements points need to be corrected. Service completed and retirements points earned are not accurately reflected on his DA Form 5016 (Retirement Accounting Statement). Documents were not processed correctly in previous years reflected. The current human resources staff has been working in conjunction with the applicant to correct his record.

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

a. Having prior U.S. Army Reserve enlisted service, he was appointed as a Reserve commissioned officer and executed his oath of office on 9 June 2002.

b. On 13 September 2012, the U.S. Army Human Resources Command issued the applicant a Notification of Eligibility for Retired Pay at Age 60 (20-Year Letter).

c. His record contains:

(1) A DA Form 5016, dated 10 September 2023, which shows his total career retirement points earned as – 958 Inactive Duty Training (IDT), 32 extension course, 469 membership, 4404 Active Duty Training (ADT), 30 years, 3 months, and 4 days qualifying for retirement, 5724 points earned and 5724 points creditable. In relevant part, the form also shows for the completed anniversary years below, he earned the following retirement points:

- 11 August 2021 to 10 August 2022 – 65 IDT, 15 membership, 135 ADT, 1 year qualifying for retirement, 215 points earned, and 215 points creditable
- 11 August 2022 to 10 August 2023 – 23 IDT, 15 membership, 3 ADT, 41 points earned, and 41 points creditable

(2) A DA Form 5016 (Chronological Statement of Retirement Points), dated 28 May 2024, shows a total of – 919 IDT points, 32 extension course, 465 membership points, 4362 ADT points, 30 years qualifying for retirement, and 5639 points creditable. The form also shows for the completed anniversary year of 11 August 2021 to 10 August 2022, he earned:

- 65 IDT points
- 15 membership points
- 135 ADT points
- 1 year qualifying for retirement
- 215 total points creditable

3. In support of his case the applicant provides:

a. Four DA Forms 1380, showing various dates in 2022 and 2023, which were submitted for points only for the completed anniversary years of 11 August 2021 to 10 August 2022 and 11 August 2022 to 10 August 2023. The forms were signed by his commander and show:

- 22, 24, 25, 27, 29, and 30 April 2022 – 4 hours each day, N1 (nonpaid), he performed "DOI duties"; Totaling: 6 points
- 16, 18, 20, 21, 22, 23, 30, and 31 May 2022 – 4 hours each day, N1 (nonpaid), he performed DOI duties; Totaling: 8 points
- 5, 6, 24, and 25 June 2022 – 4 hours each day, N1 (nonpaid), he performed DOI duties; Totaling: 4 points
- 28 January 2023 – 8 hours, N2 (nonpaid), he performed "DOI duties"; Totaling: 2 points
- 29, 30, and 31 January 2023 – 4 hours each day, N1 (nonpaid), he performed "DOI duties"; Totaling: 3 points

b. TPU Personnel Actions Checklist, dated 24 May and 22 July 2022 showing the required forms and documents submitted by the applicant for retirement points only.

c. Approval Chain screenshot, dated 31 July 2023 showing the approval stage and comments for his submitted DA Forms 1380.

4. On 25 January 2024, 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 23 requested 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 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 Forms 1380 for retirement points. Full administrative relief granted.

5. On 26 January 2024, the applicant was provided a copy of the USARC advisory opinion to allow for his comments 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 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 due to the unit's administrative errors, his DA Forms 1380 were not processed in a timely manner and the Board voted to grant 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 by awarding the applicant qualifying retirement points on the dates indicated below, provided all other criteria is met:

- 18 retirement points for the retirement year ending 10 August 2022
- 5 retirement points for the retirement year ending 10 August 2023

[REDACTED]

[REDACTED]

[REDACTED]

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 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 (1) retirement point or 8 hours in length for two (2) 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 U.S. Army Human Resources Command for award of retirement points no later than the end of each duty month.

//NOTHING FOLLOWS//