

IN THE CASE OF: [REDACTED]

BOARD DATE: 9 May 2024

DOCKET NUMBER: AR20230010806

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

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 1380 (Record of Individual Performance and Reserve Duty Training), 30 June 2022
- DA Form 1380, 24 July 2022
- Command and General Staff Operations Course (CGSOC) Intermediate Level Education (ILE) Evaluation Forms, 24 July 2023
- Memorandum, Subject: Letter of Lateness, 28 July 2023

FACTS:

1. The applicant states, in pertinent part, he was unable to request retirement points with the Army's move to the Integrated Personnel and Pay System – Army (IPPS-A) and has not been credited with retirement points or paid for Electronic Based Distance Learning (EBDL).

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

a. On 16 April 2007, he enlisted in [REDACTED] Army National Guard ([REDACTED] ARNG) for a period of 8 years.

b. National Guard Bureau (NGB) Form 337 (Oaths of Office), dated 1 June 2008 shows he accepted a commission with [REDACTED] Army National Guard ([REDACTED] ARNG) and executed an oath of office.

c. On 22 July 2008, the [REDACTED] ARNG, Fifth Regiment Armory issued Orders Number 204-531 honorably discharging him from the [REDACTED] ARNG with a retroactive effective date of 15 May 2008.

d. On 16 May 2008:

(1) A Memorandum for Appointment as a Reserve Commissioned Officer of the Army was issued.

(2) He accepted a Reserve commission and executed an oath of office.

e. On 8 March 2012:

(1) The [REDACTED] ARNG issued a Memorandum for Interstate Transfer (Conditional Release).

(2) NGB Form 337 shows he accepted a commission with [REDACTED] Army National Guard ([REDACTED] ARNG) and executed an oath of office.

f. NGB Form 22 (Report of Separation and Record of Service) dated 1 April 2015 reflects an honorable release from the [REDACTED] ARNG and transfer to the U.S. Army Reserve (USAR) Control Group (Individual Ready Reserve (IRR)) with service from 8 March 2012 to 1 April 2015 for a net service this period of 3 years and 24 days.

g. On 3 April 2015, the Departments of the Army and the Air Force [REDACTED] National Guard, Office of the Adjutant General issued Orders Number 093-012 honorably releasing him from the [REDACTED] ARNG and transferring him to the USAR Control Group (IRR) with a retroactive effective date of 1 April 2015.

h. DA Form 5016 (Retirement Accounting Statement), dated 15 May 2023 shows for the RYE 13 November 2022, he earned 22 Inactive Duty Training (IDT) points, 9 membership points, and 28 Active Duty Training (ADT) points, totaling 59 total points creditable.

i. He continues service with the USAR.

3. The applicant provides the following:

a. DA Form 1380, dated 30 June 2022 showing the applicant completed training on 22, 23, 24, 25, 26, 27, 28, 29, and 30 June 2022, for 8 hours each, totaling 18 retirement points.

b. DA Form 1380, dated 24 July 2022 showing the applicant completed training on 1, 2, and 3 July 2022, for 8 hours each, totaling 6 retirement points.

c. CGSOC ILE Evaluation Forms, dated 24 July 2023 showing the applicant completed the following courses:

(1) C100 (Foundations) on 3, 8, 9,10, and 12 March 2022, and 4 and 13 April 2022.

(2) C200 (Strategic Context of Operational Art) on 7, 8, 19 and 23 April 2022, 18 May 2022, and 22 June 2022.

d. Memorandum, Subject: Letter of Lateness, dated 28 July 2023 wherein his unit deputy commander stated, in effect, the two DA Forms 1380 are being submitted late due to no fault of the applicant. The unit was not aware of the process in requesting retirement points for completion of ILE, phase 1. Now that IPPS-A is live, points only DA Forms 1380 that predate November 2022 have to be submitted through the Army Review Boards Agency.

4. On 20 December 2023, the Chief, Soldier Programs Branch, United States Army Reserve Command, provided an advisory opinion recommending disapproval of the applicant's request stating, in effect:

a. They reviewed the applicant's documents and determined he should not be awarded points based off Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). The applicant submitted DA Forms 1380 for dates outside those listed on the ILE Evaluation Form.

b. One point is awarded for every eight hours of course work and not the amount of time it took for the Soldier to complete the class. For example, the ILE Evaluation Forms total 52 hours, which would be credited with six (6) retirement points. The Soldier should provide additional documentation and redo the DA Forms 1380.

c. No administrative relief granted.

5. On 4 January 2024, the applicant was provided with a copy of the advisory opinion to provide a response. As of 18 January 2024, he did not respond.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found relief is not warranted.

2. The Board concurred with the advisory official's recommendation to deny relief due to the incorrect DA Forms 1380 the applicant provided. The Board also noted the advisory official's recommendation that the applicant provide additional information and redo the DA Forms 1380 and advised the applicant to do so and submit a request for reconsideration to this Board.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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| : | : | : | GRANT FULL RELIEF |
| : | : | : | GRANT PARTIAL RELIEF |
| : | : | : | GRANT FORMAL HEARING |
| ■ | ■ | ■ | DENY APPLICATION |

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

9/20/2024

X

CHAIRPERSON

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.

c. Eight-hour rule. Approved EBDL courses will be awarded to members of the Selected Reserve (TPU). Subject to available funding, and as pre-approved, Soldiers may earn one retirement point and be paid for one IDT for every 8 hours of distance learning completed.

//NOTHING FOLLOWS//