

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 June 2024

DOCKET NUMBER: AR20230010827

APPLICANT REQUESTS: in effect, correction of his record to show the submitted DA Forms 1380 (Record of Individual Performance of Reserve Duty Training), for retirement points, dated 17 January, 9 May, 11 July, and 8 August 2023, were accepted and added to his record for the anniversary year of 14 November 2022 to 10 September 2023.

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

- DD Forms 149 (Application for Correction of Military Record)
- DA Form 1380, 17 January 2023
- DA Form 1380, 9 May 2023 (not signed)
- DA Form 1380, 11 July 2023
- DA Form 1380, 8 August 2023

FACTS:

1. The applicant states he is missing time submitted for drill for points for pre-Battle Assembly (BA) conference call on 9 May 2023. The submission was not completed in the Integrated Personnel and Pay System- Army (IPPS-A). Retirement points do not reflect a pre-BA training brief that was conducted on 11 July 2023. DA Forms 1380 for points only were not accepted in IPPS-A. He did not receive retirement points for meetings outside of his military pay period. He has completed meetings outside of his military duty and he is requesting to process DA Forms 1380 for points only.

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

a. Having prior U.S. Army Reserve (USAR) enlisted and Cadet service, DA Form 71 (Oath of Office - Military Personnel) shows he was appointed as a Reserve commissioned officer and executed his oath of office on 8 December 2007.

b. On 15 October 2020, the U.S. Army Human Resources Command (HRC) issued the applicant a Notification of Eligibility for Retired Pay at Non-Regular Retirement (20-Year Letter).

c. His record contains:

(1) DA Form 5016 (Retirement Accounting Statement) dated 10 October 2023, which shows the applicant's total career retirement points earned as 835 Inactive Duty Training (IDT), 310 membership, 1667 Active Duty Training (ADT), 21 years qualifying for retirement, 2799 points earned and 2799 points creditable. In relevant part, it also shows for the completed anniversary year 14 November 2022 to 10 September 2023, he earned the following retirement points:

- 38 IDT
- 12 membership
- 14 ADT
- 9 months and 27 days qualifying for retirement
- 64 points earned
- 64 points creditable

(2) DA Form 5016 (Chronological Statement of Retirement Points) dated 16 May 2024, which shows a total of 785 IDT points, 295 membership points, 1653 ADT points, 19 years, 8 months, and 8 days qualifying for retirement, and 2720 points creditable. It does not show the completed anniversary year in question.

3. The applicant provides DA Forms 1380, showing various dates in 2023, which were submitted for points only for the completed anniversary year of 14 November 2022 to 10 September 2023. The forms are signed by Captain T_ H_, Defense Logistics Agency (DLA) Aviation, and shows the applicant's dates, hours, retirement points, location of duties, nature of duties, training, or instruction, as follows:

- 17 January 2023 – for 4 hours, N1 (nonpaid), at 8000 Jefferson Davis Highway, Richmond, Virginia, he attended a Battle Assembly Planning Session; Totaling: 1 point
- 9 May 2023 – for 4 hours, N1 (nonpaid), he attended a DLA Aviation Training meeting; Totaling: 1 point (DA Form 1380 is not signed)
- 11 July 2023 – for 4 hours, N1 (nonpaid), at 8000 Jefferson Davis Highway, Richmond, Virginia, he attended a Battle Assembly Planning Session; Totaling: 1 point
- 8 August 2023 – for 4 hours, N1 (nonpaid), at 8000 Jefferson Davis Highway, Richmond, Virginia, he attended a Battle Assembly Planning Session; Totaling: 1 point

4. On 27 February 2024, the Headquarters, USAR Command (USARC), Chief, Soldier Programs Branch, provided an advisory opinion for the applicant's case and recommended granting partial administrative relief. The advisory official stated, USARC reviewed the applicant's documents and determined he should be awarded three (3)

points based off Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). The May DA Form 1380 was not signed and cannot be processed. "Partial administrative relief granted."

5. On 6 March 2024, the applicant was provided a copy of the USARC advisory opinion to allow for 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 partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The Board reviewed the submitted DA Forms 1380. The DA Forms 1380, for 17 January, 8 August, and 7 November 2023 are properly completed, for points only, and signed by an official. The Board reviewed and agreed with the USARC G-1 advisory official determination that the applicant should be awarded three (3) points based off Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). The May DA Form 1380 was not signed and cannot be processed. The Board determined partial relief is warranted.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for partial 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 4 retirement points, based on submitted DA Forms 1380 for 7 January, 8 August, and 7 November 2023 (points only), provided all other criteria is met.

2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to any relief in excess of that described above.



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//