

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 June 2024

DOCKET NUMBER: AR20230011128

APPLICANT REQUESTS: correction of his records to add retirement points for duties performed but not recorded for 14 May 2022 and 15 May 2022.

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

- DD Form 149 (Application for Correction of Military Record)
- Request for Authorization for Rescheduled Training (RST), Equivalent Training (ET), or Excuse from Regular Scheduled Unit Training
- DA Form 1380 (Record of Individual Performance of Reserve Duty Training)

FACTS:

1. The applicant states he is requesting the addition of points for days of duty not recorded for 14 May 2022 and 15 May 2022. A DA Form 1380 was completed for this duty. The receiving unit did not submit the form for pay and the applicant is requesting points.

2. The applicant provides the following documents:

a. Request for Authorization for Rescheduled Training (RST), Equivalent Training (ET), or Excuse from Regular Scheduled Unit Training shows the applicant was requesting RST for the scheduled training on 14 and 15 May 2022. The reason was he was changing units and was encountering difficulties reaching his current command. He would perform his duty on 14 and 15 May 2022 at a different unit. The applicant's request was approved.

b. DA Form 1380 shows the applicant performed duty on 14 and 15 May 2022, 8 hours each day (4 retirement points). The form was signed by an officer having knowledge of the duties performed on 17 May 2022.

3. The applicant's service record contains the following documents:

a. DA Form 71 (Oath of Office - Military Personnel), dated 15 November 2006 shows the applicant took the oath of office as a Reserve commissioned officer in the rank of second lieutenant.

b. Memorandum Notification of Eligibility for Retired Pay at Non-Regular Retirement (20 Year Letter), 24 February 2022 notified him he had completed the required years of qualifying Reserve service and was eligible for retired pay upon reaching age 60.

c. DA Form 5016 (Chronological Statement of Retirement Points), dated 7 May 2024 does not show his Reserve service beyond 23 January 2022.

4. On 31 January 2024, the Chief, Soldier Program Branch, Headquarters, United States Army Reserve Command (USARC) provided an advisory opinion, which states, USARC reviewed the applicant's documents and determined he should be awarded four points. The retirement points were not awarded because the unit did not process them in a timely manner, placing it outside the window for the Readiness Divisions (RD) to update. A favorable decision from the Board would allow the RDs to process the points. Full administrative relief granted.

5. On 15 February 2024, the advisory opinion was provided to the applicant to allow him the opportunity to respond. 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 applicant's contentions, the military record, and regulatory guidance were carefully considered. The evidence shows the applicant requested and received approval for Rescheduled Training (RST) for the scheduled training on 14 and 15 May 2022. He performed duties on 14 and 15 May 2022 at a different unit. The Board reviewed and agreed with the USARC advisory official's determination that the applicant should be awarded four (4) retirement points. The retirement points were not awarded because the unit did not process them in a timely manner, placing it outside the window for the Readiness Divisions (RD) to update. 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 4 retirement points, based on his submitted DA Forms 1380 (points only), provided all other criteria is met.



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:

Army Regulation 140-185 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. Paragraph 2-2, states retirement points may be earned by USAR Soldiers for active duty (AD), or while in an active Reserve status, for active duty for training (ADT), initial active duty for training (IADT), involuntary active duty for training (involuntary ADT), annual training (AT), and IDT. Types of IDT are:

- regularly scheduled unit training includes Unit Training Assemblies (UTA), and Multiple Unit Training Assemblies (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 2–4 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

c. Paragraph 3-3(b) provides that 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. TPU units will retain one copy of the DA Form 1380 to post the appropriate entry into ADARS for the month's report and then place in the appropriate Army records information management system file. Non-paid DA Form 1380s 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. The DA Form 1380 will be scanned into the Soldiers Integrated Personnel Electronic Records Management System record by the unit of assignment.

//NOTHING FOLLOWS//