

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 April 2024

DOCKET NUMBER: AR20230011185

APPLICANT REQUESTS: correction of his retirement points to reflect inclusion of service for points only performed for the retirement period covering March to November 2022 for the retirement years ending 30 April 2022, 13 November 2022, and 30 April 2023.

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

- DD Form 149 (Application for Correction of Military Record)
- DA Forms 1380 (Record of Individual Performance of Reserve Duty Training), 16 July 2022 covering the periods of March – July 2022
- DA Form 1380, 19 November 2022 covering the periods of August -November 2022
- Memorandum, Subject: Letter of Lateness, 6 March 2023

FACTS:

1. The applicant states, in pertinent part, due to multiple formatting and reformatting requirements, his unit did not process his points within the allotted time for 63rd Readiness Command and was then directed to the Army Review Boards Agency.

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

a. On 21 September 2000, he enlisted in the Regular Army.

b. DD Form 214 (Certificate of Release or Discharge from Active Duty), ending 30 September 2004 reflects a release from active duty for completion of required active service and transfer to the U.S. Army Reserve (USAR) Control Group (Reinforcement). Item 12 (Record of Service) shows service from 21 September 2000 to 30 September 2004 for a net active service this period of 4 years and 10 days.

c. On 2 September 2005, he enlisted in the Arizona Army National Guard (AZARNG).

d. National Guard Bureau (NGB) Form 22 (Report of Separation and Record of Service) dated 21 July 2008 reflects an honorable discharge from the AZARNG for appointment as a warrant or commissioned officer with service from 2 September 2005 to 21 July 2008 for a net service this period of 2 years, 10 months, and 20 days.

e. NGB Form 337 (Oaths of Office), dated 23 July 2008 shows he accepted a commission with the AZARNG and executed an oath of office.

f. NGB Form 337, dated 15 February 2011, shows he accepted a commission with the Texas Army National Guard (TXARNG) and executed an oath of office.

g. NGB Form 22, dated 30 April 2015 reflects an honorable release from the TXARNG and transfer to the USAR Control Group (Individual Ready Reserve) with service from 15 February 2011 to 30 April 2015 for a net service this period of 4 years, 2 months, and 16 days.

h. On 23 July 2019, he was appointed as a Reserve commissioned officer and executed an oath of office.

i. DA Form 5016 (Retirement Accounting Statement), dated 30 May 2023 shows for the following retirement years ending he earned:

- 30 April 2022, the applicant earned 64 Inactive Duty Training (IDT) points, 15 membership points and 46 Active Duty Training (ADT) points, totaling 125 total points creditable.
- 13 November 2022, the applicant earned 19 IDT points, 8 membership points, and 29 ADT points, totaling 56 total points creditable.
- 30 April 2023, the applicant earned 16 IDT points, 7 membership points, and 55 ADT points, totaling 78 total points creditable.

j. He continues service with the Reserve.

3. The applicant provides the following:

a. DA Forms 1380, dated 16 July 2022 shows he completed training on the following dates and endorsed by Major (MAJ) K-K- as the officer having knowledge of the duties performed:

(1) On 16,17,18,21,22,23,24,25,28,29,30 and 31 March 2022, for 4 hours each, completing commander's administrative duties, totaling 12 retirement points.

(2) On 19,20,21,22,25,26,27,28, and 29 April 2022, for 4 hours each, completing commander's administrative duties, totaling 9 retirement points.

(3) On 2,3, and 4 May 2022, for 4 hours each, completing commander's administrative duties, totaling 3 retirement points.

(4) On 1,2,3,6,7,8,9,10,27,28, and 30 June 2022, for 4 hours each, completing commander's administrative duties, totaling 11 retirement points.

(5) On 1,4,5,6,7,25,26,28, and 29 July 2022, for 4 hours each, completing commander's administrative duties, totaling 9 retirement points.

b. DA Forms 1380, dated 19 November 2022 shows he completed training on the following dates and endorsed by MAJ K-K- as the officer having knowledge of the duties performed:

(1) On 1,2,4,5,8,9,11,12,15,16,18, and 19 August 2022, for 4 hours each, completing commander's administrative duties, totaling 12 retirement points.

(2) On 22,23,25,26,29, and 30 August 2022, for 4 hours each, completing commander's administrative duties, totaling 6 retirement points.

(3) On 1,2,5,6,8,9,12,13,15,16,19, and 20 September 2022, for 4 hours each, completing commander's administrative duties, totaling 12 retirement points.

(4) On 3,4,6,7,10,11,13,14,17,18,20, and 21 October 2022, for 4 hours each, completing commander's administrative duties, totaling 12 retirement points.

(5) On 24,25,27,28, and 31 October 2022, for 4 hours each, completing commander's administrative duties, totaling 5 retirement points.

(6) On 1,3,4,7,8,10,11,14,15,17, and 18 November 2022, for 4 hours each, completing commander's administrative duties, totaling 11 retirement points.

c. Memorandum, Subject: Letter of Lateness, dated 6 March 2023 stating, in effect, the applicant was unaware of the format and process to for submitting retirement points which caused the delay with multiple revisions.

4. On 25 January 2024, the U.S. Army Reserve Command, Chief, Soldier Programs Branch, provided an advisory opinion recommending approval of the applicant's request stating, in effect, they reviewed the applicant's documents and determined he should be awarded all requested points based off Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). He 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.

5. On 26 January 2024, the applicant was provided with a copy of the advisory opinion to provide a response. As of 10 February 2024, 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. According to the submitted DA Forms 1380, the applicant performed the duties and qualified for retirement points for those duties performed during the contested periods. The Board was persuaded by his argument that administrative errors occurred in not timely and properly processing his retirement points. He submitted his DA Forms 1380 for points for duties performed outside of the scheduled Battle Assembly. Due to the Unit's administrative errors, points could not be processed in a timely manner. The Board also agreed with the USARC determination that the applicant should be awarded all requested points based off Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records).

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, based on his submitted DA Forms 1380 (for points only), March to November 2022, provided all other criteria is met.

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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.

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. Non-unit Soldiers attached for retirement point credit to IMA detachments are reported on DA Form 1379 (U.S. Army Reserve Components Unit Record of Reserve Training) for those units.

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.

//NOTHING FOLLOWS//