

IN THE CASE OF: [REDACTED]

BOARD DATE: 13 June 2024

DOCKET NUMBER: AR20230011693

APPLICANT REQUESTS: correction of her retirement points to reflect inclusion of service for points only performed for the retirement periods:

- July, September, and October 2022 for the Retirement Year Ending (RYE) 13 November 2022
- January and February 2023 for the RYE 22 February 2023
- April 2023 for the RYE 6 September 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), dated 4 May 2023 covering the following periods:
 - July 2022
 - September 2022
 - October 2022
 - January 2023
 - February 2023
 - April 2023

FACTS:

1. The applicant states, in pertinent part, she is missing points from fiscal years 2022 and 2023 as they were not submitted to the U.S. Army Human Resources Command (HRC) monthly.

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

- a. On 24 March 2000, she enlisted in the Regular Army.
- b. On 30 October 2003, the Kaiserslautern Transition Center issued Orders Number

303-01 reassigning her to the U.S. Army transition point for transition processing, honorable release from active duty and assignment to the U.S. Army Reserve (USAR) Control Group (Reinforcement), effective 17 November 2003.

c. DD Form 214 (Certificate of Release or Discharge from Active Duty) reflects an honorable release from active duty for pregnancy with reassignment to the USAR Control Group (Reinforcement). Item 12 (Record of Service) shows service from 24 March 2000 to 17 November 2003 for a net active service this period of 3 years, 7 months, and 24 days.

d. On 26 February 2008, HRC issued Orders Number D-02-807761 honorably discharging her from the USAR.

e. DD Form 214, ending on 19 August 2009, shows she was a member of the U.S. Navy Reserve and entered active duty on 24 June 2009 and was honorably released from active duty on 19 August 2009. She completed 1 month and 26 days of net service.

f. On 11 April 2017, she enlisted in the Regular Army for a period of 4 years.

g. On 6 October 2020, Headquarters, United States Army Garrison, Fort Riley issued Orders Number 280-0007 reassigning her to the U.S. Army transition point for transition processing and honorable release from active duty, effective 10 April 2021.

h. On 9 April 2021, Headquarters, United States Army Garrison, Fort Riley issued Orders Number 099-0006 amending Orders Number 280-0007 to reflect assignment to Headquarters, 1173rd Deployment and Distribution Support Battalion, West Palm Beach, FL, in the USAR upon release from active duty.

i. DD Form 214, ending 10 April 2021, reflects an honorable release from active duty for completion of required active service and assignment to Headquarters, 1173rd Deployment and Distribution Support Battalion, West Palm Beach, FL. Item 12 (Record of Service) shows service from 11 April 2017 to 10 April 2021 for a net active service this period of 3 years.

j. On 11 February 2022, she reenlisted in the USAR for an indefinite term.

k. On 28 July 2023, a Physical Evaluation Board convened finding the applicant physically unfit and a recommendation that her disposition be permanent disability retirement.

l. On 16 August 2023, the Department of the Army issued Orders Number 5710181 for mandatory retirement and placement on the permanent disability retired list, effective

7 September 2023 with total service of 10 years.

m. DA Form 5016 (Retirement Accounting Statement), dated 24 March 2024 shows the following:

(1) For the RYE 13 November 2022, the applicant earned 7 Inactive Duty Training (IDT) points and 264 Active Duty Training (ADT) points, totaling 264 total points creditable.

(2) For the RYE 22 February 2023, the applicant earned 4 membership points, totaling 4 total points creditable.

(3) For the RYE 6 September 2023, the applicant earned 4 IDT points and 8 membership points, totaling 12 total points creditable.

3. The applicant provides the DA Forms 1380, dated 4 May 2023 showing the applicant completed training during the following periods:

- On 9 and 10 July 2022, for 8 hours each, totaling 4 retirement points, conducting Battalion S-3 Noncommissioned Officer (NCO) duties during battle assembly
- On 16, 17, and 18 September 2022, for 8 hours each, totaling 6 retirement points, conducting Battalion S-3 NCO duties during battle assembly
- On 22 and 23 October 2022, for 8 hours each, totaling 4 retirement points, conducting Battalion S-3 NCO duties during battle assembly
- On 21 and 22 January 2023, for 8 hours each, totaling 4 retirement points, conducting Battalion S-3 NCO duties during battle assembly
- On 5 February 2023, for 8 hours, totaling 2 retirement points, conducting Battalion S-3 NCO duties during battle assembly
- On 1 and 2 April 2023, for 8 hours each, totaling 4 retirement points, conducting Battalion S-3 NCO duties during battle assembly

The DA Forms 1380 were endorsed on 4 May 2023 by Captain S- M- as the officer having knowledge of the duties performed.

4. On 14 March 2024, the Chief, Army Service Center, HRC, provided an advisory opinion stating, in effect, the DA Form 5016 shows 9 creditable Reserve retirement years and 3050 cumulative retirement points. If she drilled for points while in the U.S. Navy, she will have to reach out to the U.S. Navy to obtain her Retirement Points Statement and then provide it to this office in order to correct the U.S. Navy time on her DA Form 5016.

5. On 19 April 2024, the applicant was provided with a copy of the advisory opinion to provide a response. As of 6 May 2024, she 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 warranted.
2. The Board found the evidence confirms the applicant was not credited with the retirement points documented on the DA Forms 1380 she provided in support of her application. Based on a preponderance of the evidence, the Board determined her record should be corrected by processing the DA Forms 1380 and updating her retirement points accordingly.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	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 processing the DA Forms 1380 she provided in support of her application and updating her retirement points accordingly.

12/9/2024

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:

Army Regulation 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.

//NOTHING FOLLOWS//