

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 11 June 2024

DOCKET NUMBER: AR20230012114

APPLICANT REQUESTS: correction of his records to show retirement points credit for duty performed between 5 July 2022 and 28 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)

FACTS:

1. The applicant states he was unable to submit points only DA Forms 1380 within 60 days of completing his duties. He would like to submit points only DA Forms 1380 for the duties he performed. His Army Reserve Ambassador (ARA) attempted to correct this action but informed him he needed to go to the Board to correct the oversight.

2. The applicant provides DA Forms 1380, signed by an officer having knowledge of duties performed showing he performed duty on:

- 5 July 2022, 4 hours, (1 retirement point)
- 12 July 2022, 8 hours (2 retirement points)
- 19 July 2022, 4 hours (1 retirement point)
- 21 July 2022, 8 hours (2 retirement points)
- 26 July 2022, 4 hours (1 retirement point)
- 29 July 2022, 8 hours (2 retirement points)
- 2 August 2022, 4 hours, (1 retirement point)
- 9 August 2022, 8 hours (2 retirement points)
- 16 August 2022, 4 hours (1 retirement point)
- 20 August 2022, 8 hours (2 retirement points)
- 23 August 2022, 4 hours (1 retirement point)
- 30 August 2022, 4 hours (1 retirement point)
- 6 September 2022, 4 hours, (1 retirement point)
- 13 September 2022, 8 hours (2 retirement points)
- 20 September 2022, 4 hours (1 retirement point)

- 22 September 2022, 8 hours (2 retirement points)
- 29 September 2022, 4 hours (1 retirement point)
- 30 September 2022, 4 hours (1 retirement point)
- 3 October 2022, 4 hours, (1 retirement point)
- 10 October 2022, 8 hours (2 retirement points)
- 17 October 2022, 4 hours (1 retirement point)
- 16 October 2022, 8 hours (2 retirement points)
- 17 October 2022, 4 hours (1 retirement point)
- 24 October 2022, 4 hours (1 retirement point)
- 27 October 2022, 8 hours (2 retirement points)
- 1 November 2022, 4 hours, (1 retirement point)
- 8 November 2022, 8 hours (2 retirement points)
- 15 November 2022, 4 hours (1 retirement point)
- 22 November 2022, 8 hours (2 retirement points)
- 21 November 2022, 4 hours (1 retirement point)
- 27 November 2022, 4 hours (1 retirement point)
- 29 November 2022, 8 hours (2 retirement points)
- 6 November 2022, 4 hours, (1 retirement point)
- 13 November 2022, 8 hours (2 retirement points)
- 17 November 2022, 8 hours (2 retirement points)
- 23 November 2022, 8 hours (2 retirement points)
- 27 November 2022, 4 hours (1 retirement point)
- 3 January 2023, 4 hours (1 retirement point)
- 10 January 2023, 8 hours (2 retirement points)
- 17 January 2023, 4 hours (1 retirement point)
- 24 January 2023, 8 hours (2 retirement points)
- 28 January 2023, 8 hours (2 retirement points)
- 7 February 2023, 4 hours (1 retirement point)
- 14 February 2023, 8 hours (2 retirement points)
- 21 February 2023, 4 hours (1 retirement point)
- 25 February 2023, 8 hours (2 retirement points)
- 28 February 2023, 8 hours (1 retirement point)
- 7 March 2023, 4 hours (1 retirement point)
- 14 March 2023, 8 hours (2 retirement points)
- 21 March 2023, 8 hours (2 retirement points)
- 23 March 2023, 8 hours (2 retirement points)
- 27 March 2023, 4 hours (1 retirement point)
- 3 April 2023, 4 hours (1 retirement point)
- 10 April 2023, 8 hours (2 retirement points)
- 17 April 2023, 8 hours (2 retirement points)
- 19 April 2023, 8 hours (2 retirement points)

- 28 April 2023, 4 hours (1 retirement point)

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

a. DA Form 71 (Oath of Office - Military Personnel) shows the applicant took the oath of office as a Reserve commissioned officer on 19 March 2009.

b. DA Form 5016 (Chronological Statement of Retirement Points), 29 May 2024 shows from 12 December 2020 through 11 December 2021, he received 58 inactive duty points, 15 membership points, and 27 active duty points. It does not show his service beyond 11 December 2021.

4. On 21 November 2023, the Chief, Soldier Programs Branch, Headquarters, U.S. Army Reserve Command (USARC) provided an advisory opinion, which states USARC reviewed the applicant's documents and determined he should not be awarded any points because his DA Forms 1380 were not filled out in accordance with AR 140-185 (Training and Retirement Point Credits and Unit Level Strength and Accounting Records). No administrative relief granted.

5. On 27 November 2023, the advisory opinion was provided to the applicant to allow him on the opportunity to respond. On 11 December 2023, the applicant responded stating he would like to dispute the findings of the case manager. The case manager stated he should not be awarded any points because his DA Forms 1380 were not filled out in accordance with the regulation. The case manager did not detail why his DA Forms 1380 were filled out incorrectly. He filled out the required DA Forms 1380 as specified by his ARA and have had numerous similar DA Forms 1380 accepted and processed. He appreciates any further guidance or assistance the Board could provide.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The Board reviewed and was not persuaded by the applicant's contention that he was unable to submit points only DA Forms 1380 within 60 days of completing his duties. He does not provide evidence that shows he was prevented from submitting his retirement points through his unit administrator or to the appropriate office. The Board also reviewed and agreed with the USARC advisory official's finding that determined he should not be awarded any points because his DA Forms 1380 were not filled out in accordance with AR 140-185 (Training and Retirement Point Credits and Unit Level Strength and Accounting Records). The Board determined no administrative relief should be granted. The Board also recommends the applicant discuss processing of his DA Forms 1380 with his unit administrator.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	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.

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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.

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//