

IN THE CASE OF: [REDACTED]

BOARD DATE: 11 July 2024

DOCKET NUMBER: AR20230013156

APPLICANT REQUESTS: in effect, correction of his record to show the submitted DA Forms 1380 (Record of Individual Performance of Reserve Duty Training) dated 30 June 2023 were accepted and added to his record for the anniversary year ending 30 September 2023.

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

- DD Form 149 (Application for Correction of Military Record)
- DA Forms 1380, 30 June 2023
- Memorandum - Subject: Letter of Lateness for Non-Paid Points for [Applicant], 27 September 2023

FACTS:

1. The applicant states he performed his Army Reserve Element (ARE) assigned duties on the following dates: 29-30 May 2023 and 29-30 June 2023. DA Forms 1380 were submitted in a timely matter and submitted to the 81st Readiness Division. The subject DA Forms 1380 were returned for corrections in the Integrated Personnel and Pay System - Army (IPPS-A). The returned documents were outside of the 60-day window due to excessive IPPS-A processing times and must be submitted through "ACT" online. He is requesting all 8 points be added to his record to show a good year of service.

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

a. On 1 October 2001, he enlisted in the U.S. Army Reserve (USAR), and continues to serve in the USAR through multiple reenlistments and extensions.

b. His record contains:

(1) DA Form 5016 (Retirement Accounting Statement) dated 30 October 2023, which shows his total career retirement points earned as – 372 Inactive Duty Training (IDT), 30 Extension Course, 330 Membership, 4372 Active Duty Training (ADT), 19

Years Qualifying for Retirement, 4984 Points Earned, and 4984 Points Creditable. In relevant part, the form also shows for the completed anniversary year of 14 November 2022 to 30 September 2023, he earned the following retirement points:

- 27 IDT
- 13 Membership
- 40 Points Earned
- 40 Points Creditable

(2) DA Form 5016 (Chronological Statement of Retirement Points) dated 3 July 2024, which shows a total of – 341 IDT Points, 30 Extension Course Points, 315 Membership Points, 4372 ADT Points, 19 Years Qualifying for Retirement, and 4938 Points Creditable. The form does not show the anniversary year in question.

c. On 21 June 2024, the U.S. Army Human Resources Command issued the applicant a Notification of Eligibility for Retired Pay at Non-Regular Retirement (20-Year Letter).

3. In support of his case the applicant provides:

a. DA Forms 1380 dated 30 June 2023, submitted for points only for the completed anniversary year of 14 November 2022 to 30 September 2023. The forms were signed by the Detachment Officer In-Charge and a master sergeant (Joint Special Operations Command (JSOC), J1 Reserve Affairs), and show the applicant's dates, hours, retirement points, location of duties, nature of duties, training, or instruction, as follows:

- 29 and 30 May 2023 – for 8 hours each day, N2 (nonpaid), he conducted administrative duties at the JSOC Headquarters, 1 Malvesti Street, Fort Liberty, NC; Totaling: 4 points
- 29 and 30 June 2023 – for 8 hours each day, N2 (nonpaid), at Fort Liberty, NC, he conducted administrative operations; Totaling: 4 points

b. JSOC Memorandum - Subject: Letter of Lateness for Non-Paid Points for [applicant], dated 27 September 2023, wherein, the Branch Chief stated, the applicant performed ARE assigned duties on the following dates: 29-30 May 2023 and 29-30 June 2023. DA Forms 1380 were submitted in a timely matter and submitted to the 81st Readiness Division. The subject DA Forms 1380 were returned for corrections in IPPS-A. The returned documents were outside of the 60-day window due to excessive IPPS-A processing times and must be submitted through ACT online. Request the applicant receive credit for duty performance as annotated on the attached DA Forms 1380 and to show a good year of service.

4. On 21 February 2024, the Chief, Soldier Programs Branch, U.S. Army Reserve Command (USARC), provided an advisory opinion for this case and stated USARC reviewed the applicant's documents and determined he should be awarded four (4) points for 29-30 May 2023 based off Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). The DA Form 1380 for 29-30 June 2023 was not signed by an officer or someone delegated in writing to sign for the Commander. "Partial administrative relief granted."

5. On 23 February 2024, the applicant was provided a copy of the USARC advisory opinion for comments and/or rebuttal. He 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 partially concurred with the advisory official, but notwithstanding the advisory official's recommendation for partial relief, ultimately found full relief is warranted. Although one of the DA Forms 1380 provided by the applicant may not have been signed by an official who was properly authorized to do so, the Board found no evidence indicating the information on that form is invalid. Based on a preponderance of the evidence, the Board determined the applicant's record should be corrected by processing the DA Forms 1380 he submitted in support of his application and by updating his retirement points accordingly.

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 processing the DA Forms 1380 he submitted in support of his application and updating his retirement points accordingly.

12/26/2024

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.

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 inactive duty training (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 four (4) hours in length for one (1) retirement point or eight (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//