

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 26 July 2024

DOCKET NUMBER: AR20230013597

APPLICANT REQUESTS: correction of her retirement points for duty performed on:

- 7 April 2022
- 14 April 2022
- 7 June 2022
- 9 June 2022
- 24 August 2022
- 26 August 2022
- 26 September 2022
- 27 September 2022

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

- Three DD Forms 149 (Application for Correction of Military Record), 29 September 2023 (2), 21 January 2024, and 17 April 2024
- Self-Authored Statements
- Four DA Forms 1380 (Record of Individual Performance of Reserve Duty Training), 25 September 2023
- 81st Readiness Division Order Number 113571, 9 July 2022 (Annual Training)
- 81st Readiness Division Order Number 138005, 8 March 2023 (Annual Training)
- 81st Readiness Order 130539, 23 August 2022 (Amendment to Order Number 113571)
- Memorandum, subject: Letter of Lateness – DA Form 1380s Points Only for [Applicant], 20 September 2023
- Transition Log History, 22 September 2023
- Draft DA Form 5016 (Retirement Accounting Statement), 17 April 2024

FACTS:

1. The applicant states:

a. She is missing retirement points for fiscal year (FY) 2022. She attended rescheduled training as an Army Reservist for points only.

b. She submitted her DA Forms 1380, but unfortunately, they were not processed. She is now missing retirement points for 7 and 14 April 2022, 7 and 9 June 2022, 24 and 26 August 2022, and 26 and 27 September 2022. She completed her part, but the retirement points were not awarded to her.

c. She attended battle assembly, but she signed in as N (Retirement Points Only). Her unit did not submit her paperwork in a timely manner. She will be retiring in January 2025 and is missing the retirement points so she can have a qualifying year for 2022.

d. She completed 4 days of Annual Training from 19 through 22 July 2022, which is not in her Interactive Personnel Electronic Records Management System (iPERMS) or on her retirement sheet. She is missing four points/4 days of active duty/AT. It currently only shows 5 days but she did a total of 9 days, 5 days one week which are accounted for and 4 days the following week, which are not accounted for.

e. She was paid, but MyPay only goes back to 2023, not July 2022. She has requested a copy of her leave and earnings statement from Defense Finance and Accounting Service for 19 through 22 July but they have not processed the ticket.

f. Her unit had an S-1 who did not process much, to include her DA Forms 1380 for points only and now she realized that also her AT orders are missing both on iPERMS and they are not added to her retirement points, but she was paid for the days.

g. In 2022, she started to receive Department of Veterans Affairs (VA) compensation, which was more than what her base pay would be for attending monthly battle assemblies, if she was in a paid status.

h. She was not aware or informed of the points only process when she made this transition to receive VA benefits and did not submit DA Forms 1380 for points only. When the Integrated Personnel and Pay System-Army (IPPS-A) went live in December 2022, she started submitting DA Forms 1380 for points only to the Reserve Personnel Action Center in hopes she would continue to have a qualifying year.

i. In August 2023, the unit's Army Reserve Administrator pulled her Attendance Reporting Software Transition Log history and noticed she had not received points for several months of battle assemblies attended. Her Army Reserve Administrator filled out each month of DA Forms 1380 dating back one year. He was not able to help her with points that were dated beyond the one-year mark.

j. She is nearing her eligibility for retirement of 20 qualifying years and is requesting these missed retirement points only be added to her record in hopes of acquiring her 20-Year Letter in a timely manner.

2. The applicant provides:

a. Four DA Forms 1380 which show she performed duty on:

- 7 April 2022, 8 hours, 2 retirement points
- 14 April 2022, 4 hours, 1 retirement point
- 7 June 2022, 8 hours, 2 retirement points
- 9 June 2022, 8 hours, 2 retirement points
- 24 August 2022, 8 hours, 2 retirement points
- 26 August 2022, 8 hours, 2 retirement points
- 26 September 2022, 8 hours, 2 retirement points
- 27 September 2022, 8 hours, 2 retirement points

b. Order Number 113571, published by 81st Readiness Division on 9 July 2022, which shows she was ordered to AT for a period of 5 duty days effective 18 July 2022.

c. Order Number 138006, published by 81st Readiness Division on 8 March 2023, which shows she was ordered to AD for a period of 4 days effective 19 July 2022.

d. Letter of Lateness, 20 September 2023, states the applicant performed duty for points only on 18 and 20 January 2022, 5 and 6 February 2022, 4 and 8 March 2022, 7 through 9 April 2022, 13 through 15 May 2022, 7 and 9 June 2022, 24 and 26 August 2022, and 10, 26 and 27 September 2022. DA Forms 1380 were never submitted in IPPS-A. She had been present at the aforementioned drills in accordance with the Transition Log History for inactive duty training performance. The transitions logs were included for the Board's review.

e. Draft DA Form 5016, 17 April 2024, which shows from:

- 29 January 2022 through 13 November 2022 she received 18 inactive duty points, 12 membership points, and 5 active duty points for a total of 35 creditable points
- 14 November 2022 through 28 January 2023 she received 35 inactive duty points, 3 membership points, and 0 active duty points for a total of 11 creditable points

3. A review of the applicant's service records show:

a. She enlisted in the U.S. Army Reserve (USAR) on 29 January 2005 and remained in the USAR through immediate reenlistments.

b. DA Form 5016 (Chronological Statement of Retirement Points), dated 22 July 2024, does not show her service beyond 28 January 2022. She has 17 years qualifying service for retired pay.

4. On 5 February 2024, the Chief, Soldier Programs Branch, USAR Command (USARC) provided an advisory opinion, which states USARC reviewed her documents and determined she should be awarded 12 points based off Army Regulation 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). The applicant was doing a rescheduled battle assembly for points only due to receiving VA payments. The unit did not process the DA Forms 1380 for 3 months. A favorable decision from the Board will allow the Readiness Division to update the points. Full administrative relief granted.

5. On 15 February 2024, the advisory opinion was provided to the applicant to allow her the opportunity to respond. She 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 Board carefully considered the applicant's record of service, documents submitted in support of the petition, and executed a comprehensive review based on law, policy, and regulation. The Board reviewed and concurred with the U.S. Army Reserve Command's advising official and determined the evidence supports the applicant submitted her DA Forms 1380 for qualifying credit of 15 points.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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| ■ | ■ | ■ | 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 on the dates indicated below, provided all other criteria is met:

- 7 April 2022, 8 hours, 2 retirement points
- 14 April 2022, 4 hours, 1 retirement point
- 7 June 2022, 8 hours, 2 retirement points
- 9 June 2022, 8 hours, 2 retirement points
- 24 August 2022, 8 hours, 2 retirement points
- 26 August 2022, 8 hours, 2 retirement points
- 26 September 2022, 8 hours, 2 retirement points
- 27 September 2022, 8 hours, 2 retirement points

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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//