

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 July 2024

DOCKET NUMBER: AR20230014017

APPLICANT REQUESTS: correction of retirement points for the months of March and April 2023.

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 1380 (Record of Individual Performance of Reserve Duty Training)
- Email communication

FACTS:

1. The applicant states in pertinent part that he did not receive qualifying service credit for duty performed in the months of March and April 2023 due to administrative errors and a poor understanding of processing timelines. He contests that his original submissions were within the required timelines, however they were rejected multiple times due to varying administrative errors. He notes that the duties performed for points only were done in support of a Joint Airborne Operation and conducted in the evenings, following completion of his civilian workday. He further provides that the DA Forms 1380 have been signed and approved at the O-6 level but rejected due to exceeding the submission timeline.

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

a. After serving as an enlisted Soldier within the Active Component and Reserve Component, on 2 October 1997, the applicant was appointed a Reserve commission within the U.S. Army National Guard (ARNG).

b. On 19 August 2002, the National Guard Bureau (NGB) issued Special Orders Number 227 announcing the withdrawal of the applicant's Federal recognition and transfer into the U.S. Army Reserve (USAR) Control Group (Reinforcement), effective 1 December 2001.

c. On 3 April 2009, the U.S. Army Human Resources Command (AHRC) issued Orders Number C-04-906914 reassigning the applicant to a Troop Program Unit, effective 1 April 2009.

d. On 6 August 2018, Headquarters, Headquarters 304th Civil Affairs (CA) Brigade issued Orders Number 18-218-00001 reassigning the applicant to the 304th CA Brigade, effective 6 August 2018.

e. On 16 December 2020, the applicant was issued a Notification of Eligibility for Retired Pay at Non-Regular Retirement (20-Year Letter).

3. The applicant provides the following a:

a. DA Form 1380 dated 16 August 2023, reflective of the applicant's performance of qualifying service for points only on 23-31 March 2023 (4 hours per day/7 points total). This document is not endorsed by the Officer having knowledge of the duty performed.

b. DA Form 1380 dated 16 August 2023, reflective of the applicant's performance of qualifying service for points only on 12-13, 17-18, 22-23, and 26-27 April 2023 (4 hours per day/8 points total). This document is not endorsed by the Officer having knowledge of the duty performed.

c. Email communication reflective of the applicant's communication with a member of the 352nd CA Command concerning the processing of his retirement points noting that the delayed submission was due to repeated rejections.

4. A review of the applicant's retirement points history currently available within the Soldier Management System is void of evidence of points previously awarded during the period requested.

5. On 24 May 2024, Headquarters, U.S. Army Reserve Command (USARC) provided an advisory opinion recommending approval of the applicant's request. USARC reviewed the applicant's documents in accordance with AR 140-185 and they should be awarded 15 points. The unit did not properly process the forms for the Soldier, but a positive adjudication by the Board would allow the Readiness Divisions to update the record. Full administrative relief granted.

6. On 12 June 2024, the applicant was provided with a copy of the advisory opinion and afforded 15 days to provide comments. As of 24 July 2024, the applicant has not responded.

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. The applicant contends he did not receive qualifying service credit for duty performed in the months of March and April 2023 due to administrative errors and a poor understanding of processing timelines. The Board reviewed and agreed with the USARC advisory official's finding that the applicant should be awarded 15 points based on Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). The Board determined relief is warranted.

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 15 qualifying retirement points, based on submitted DA Forms 1380, points only, provided all other criteria is met.

■

---

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 and Accounting Records) 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 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.

a. Paragraph 2-2, (Criteria for Earning Retirement Points) states retirement points may be earned by USAR Soldiers for active duty (AD), or while in an active Reserve status, for ADT, initial active duty for training (IADT), involuntary active duty for training (involuntary ADT), AT, and IDT. Types of IDT are:

- regularly scheduled unit training includes UTA, and 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 2-3 (Qualification and Eligibility for Earning Retirement Points) provides that all USAR Soldiers are classified into alphabetic training/pay categories (T/PC) for determination of individual requirements for paid IDT and AT (see AR 140-1). These categories determine individual status in the RR (Selected Reserve (SELRES), IRR, and the Standby Reserve (active and inactive).

c. Paragraph 2-4 (Criteria for Awarding Retirement Points) 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
- 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
- Soldiers may not perform more than 48 BAs per fiscal year. Soldiers must perform RST within 60 days of the missed BA.
- Soldiers are authorized a maximum of 1 medical and 1 dental physical health assessment for 4 hour periods per fiscal year unless follow-ups are authorized at the need of the Army due to further medical screening per AR 40-501

d. Paragraph 3-3 (DA Form 1380) provides that DA Form 1380 will be prepared for a unit Soldier who performs equivalent training or additional training with their unit after the scheduled Battle Assembly. TPU units will retain one copy of the DA Form 1380 to post the appropriate entry into ADARS for the months report. 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.

e. Paragraph 3-3b, states 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.

//NOTHING FOLLOWS//