

IN THE CASE OF: ██████████

BOARD DATE: 8 August 2024

DOCKET NUMBER: AR20230014448

APPLICANT REQUESTS: correction of retirement points for February, May, June, August and September 2022.

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
- Memorandum – Subject: Letter of Lateness for Submission of Retirement Points

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code (USC), section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.

2. The applicant states in pertinent part that he previously submitted the provided DA Forms 1380, however due to the implementation of the Integrated Personnel and Pay System – Army (IPPS-A), they were not processed. He notes that an IPPS-A case was initiated and completed, but he only received retirement points for three of the nine months in question. The remainder of the DA Forms 1380 were not processed by the U.S. Army Human Resources Command (AHRC). He was advised that these documents would need to be directed to this Board for consideration.

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

a. After serving as an enlisted Soldier, on 27 May 2016, the applicant was appointed a Reserve commission and assigned to a Troop Program Unit (TPU).

b. During the period of February – September 2022, the applicant was awarded 73 retirement points (30 Inactive Duty Training (IDT), 23 Active Duty for Training (ADT) and 20 Additional Training Assembly (ATA)).

4. A review of the applicant's detailed points history (February – September 2022) currently available within the Soldier Management System reflects that 1 retirement point was previously awarded for qualifying service performed on 10 September 2022. This date is included on the applicant's DA Form 1380, 30 September 2022.

5. The applicant provides:

- DA Form 1380 dated 28 February 2022, reflective of the applicant's performance of qualifying service for points only on 1, 2, 4, 7, 9, 13, 16, 18, 20 and 25 February 2022 (4 hours each day/10 points total).
- DA Form 1380 dated 31 May 2022, reflective of the applicant's performance of qualifying service for points only on 9, 10, 12, 14, 19, 23, 25-27 and 30 May 2022 (4 hours each day/10 points total).
- DA Form 1380 dated 30 June 2022, reflective of the applicant's performance of qualifying service for points only on 12, 18, 22-29 June 2022 (4 hours each day/10 points total).
- DA Form 1380 dated 31 August 2022, reflective of the applicant's performance of qualifying service for points only on 1-3, 5, 10, 12, 16, 21, 24 and 29 August 2022 (4 hours each day/10 points total).
- DA Form 1380 dated 30 September 2022, reflective of the applicant's performance of qualifying service for points only on 1, 6, 7, 10-12, 19, 24, 27 and 30 September 2022 (4 hours each day/10 points total).
- Email communication, reflective of the applicant being redirected to this Board for his requested relief noting that AHRC is no longer entering retirement points, but instead they are only making corrections for missing years on Annual Year Ending dates.
- Memorandum – Subject: Letter of Lateness for Submission of Retirement Points, reflective of the applicant's justification for the late submission of his retirement points noting that the issue is related to the implementation of IPPS-A. He further provides that nine DA Forms 1380 were submitted (February 2022 – February 2023), however only the DA Forms 1380 from December 2022 – February 2023 were processed. The remaining DA Forms 1380 (submitted with this request) were to be redirected to AHRC but did not occur.

6. On 1 May 2024, Headquarters, U.S. Army Reserve Command (USARC), Chief, Military Services Office, provided an advisory opinion recommending approval of the applicant's request in that he should be awarded the 50 retirement points being requested. USARC notes that this action did not occur previously due to the IPPS-A Go Live date.

7. On 3 May 2024, the applicant responded in concurrence with the advisory opinion recommendation.

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 that he previously submitted the provided DA Forms 1380, however due to the implementation of the IPPS-A, they were not processed. The Board reviewed and agreed with the USARC advisory official's determination that the applicant should be awarded 50 points in accordance with AR 140-185. The Soldier's forms were not processed due to IPPS-A transition, which was beyond his control.

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 fifty (50) qualifying retirement points, based on the five submitted DA Forms 1380 (February, May, June, August, and September 2022), for points only, provided all other criteria is met.

8/8/2024

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CHAIRPERSON

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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.

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.

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//