

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 15 October 2024

DOCKET NUMBER: AR20240000401

APPLICANT REQUESTS: in effect, correction of his record by adding four (4) retirement points via DA Form 1380 (Record of Individual Performance of Reserve Duty Training).

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 1380, 22 October 2023
- Memorandum, Headquarters, U.S. Army Reserve Command (USARC), 3 May 2024
- Letter, Army Review Boards Agency, 10 May 2024
- Electronic mail response, Applicant, 10 May 2024

FACTS:

1. The applicant states, in effect, he is trying to correct his record by adding retirement points via DA Form 1380. His S1 told him to submit the request to the Board since the DA Form 1380 is greater than 60 days from the training execution date.
2. The applicant is currently serving as a Major in the Active U.S. Army Reserve, Troop Program Unit.
3. The applicant provides a DA Form 1380 dated 22 October 2023, authenticated on 14 November 2023, by the officer having knowledge of duties performed. The form shows he submitted a total of 16 hours training or instruction, for retirement points only, from 8 August 2023 to 29 August 2023.
4. The applicant's Official Military Personnel File contains DA Form 5016 (Retirement Accounting Statement) dated 26 June 2024, which shows during the period 28 May 2023 to 27 May 2024 he received 62 inactive duty points and 15 membership points for a total of 77 creditable points.

5. During the processing of this case, on 3 May 2024, an advisory opinion was obtained from the Military Service Officer, USARC. The advisory official stated USARC reviewed the applicant's documents and determined he should be awarded 4 points based on Army Regulation 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records) rule 10. While the documents were not turned in on time by the applicant, the unit did not process them in a timely manner. The advisory official granted full administrative relief.

6. On 10 May 2024, a copy of the advisory opinion was forwarded to the applicant for information and to allow him the opportunity to submit comments or a rebuttal. On 10 May 2024, he responded and agreed with the advisory official to be awarded 4 retirement points.

#### 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 she submitted his DA Forms 1380 to his unit, but it was not processed. The Board reviewed and agreed with the USARC G1 advisory official's determination that she should be awarded 4 points based off AR 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). The Board accepted the argument that the applicant turned in his DA Form 1380 on time, but the unit did not process in a timely manner. Therefore, 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 4 qualifying retirement points, based on submitted DA Form 1380, for retirement points only, from 8 August 2023 to 29 August 2023, and provided all other criteria is met.

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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. It discusses the procedures for recording retirement point credits and training for U.S. Army Reserve Soldiers. It provides instructions for completing the DA Form 1379 (U.S. Army Reserve Components Unit Record of Reserve Training) and DA Form 1380. This regulation also covers basic guidance for strength accountability. The regulation applies only to U.S. Army Reserve Soldiers. It does not apply to the Active Army or the Army National Guard.

a. Army Regulation 140-185, Table 2-3 (Award of Inactive Duty Training Retirement Points) Rule 10 states the Soldier performs staff and administrative duties to include staff meetings as additional training for points only in support of troop program unit activities. Soldier is assigned/attached, is not a commander receiving administrative function pay; and is not a Federal Government employee performing in a civilian status in violation of the joint ethics regulation. Points under the 4-hour/8-hour rule except for Battle Assemblies, Re-scheduled training, Equivalent Training, make-up assemblies, or Additional Training Assemblies apply.

b. The 4-hour/8-hour rule states Soldiers earn 1 point for each 4 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 hours. Maximum of two points in 1 calendar day.

//NOTHING FOLLOWS//