

IN THE CASE OF: [REDACTED]

BOARD DATE: 12 September 2024

DOCKET NUMBER: AR20240000685

APPLICANT REQUESTS: correction of retirement points for September 2022 to reflect 12 additional retirement points for Retirement Year Ending (RYE) 13 November 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)

FACTS:

1. The applicant states in pertinent part that his service records do not accurately reflect all of his qualifying service completed in September 2022. He was advised by his unit personnel office that his submitted DA Form 1380 was returned without action because it was not submitted within 60 days of the performance of duty.

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

a. After serving as a Regular Army enlisted Soldier, on 8 June 2009, the applicant was appointed a Reserve commission and assigned to a Troop Program Unit.

b. On 27 July 2020, Headquarters, 99th Readiness Division issued Orders Number 20-209-00001 reassigning the applicant to U.S. Africa Command, effective 15 August 2020.

c. On 29 July 2021, the applicant was issued a Notification of Eligibility for Retired Pay at Non-Regular Retirement (20-Year Letter).

d. A review of the applicant's most recent DA Form 5016 (Retirement Accounting Statement) provides that during RYE November 2022 covering the period of 6 June 2022 – 13 November 2022 the applicant received 55 retirement points (34-Inactive Duty Training (IDT), 7-Membership and 14-Active Duty Training (ADT) points). A review of the applicant's detailed points history is void of evidence of points previously being awarded for the period requested.

3. The applicant provides a DA Form 1380, reflective of his completion of qualifying service for points only on: 2, 3, 6, 8, 9, 12, 15, 16, 19, 23, 26 and 28 September 2022 (4 hours per day/12 points total).

4. On 29 April 2024, the Chief, Military Services Office, Headquarters, U.S. Army Reserve Command, provided an advisory opinion recommending approval of the applicant's request noting that his unit did not process the submitted DA Form 1380 within the required time in accordance with Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength and Accounting Records).

5. On 30 April 2024, the applicant was provided with a copy of the advisory opinion and afforded 15 days to provide comments. As of 10 September 2024, the applicant has not responded.

#### 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 concurred with the conclusion of the advisory official that the evidence supports relief in this case. The Board determined the applicant's record should be corrected by processing the DA Form 1380 he provided in support of his request and updating his retirement points accordingly.

#### BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	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 Form 1380 he provided in support of his application and updating his retirement points accordingly.

3/4/2025

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.

REFERENCE:

AR 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 (RC) 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. The Anniversary Year Ending (AYE) date is the annual date that a Soldier's retirement point record is closed out. It is utilized when referring to retirement points accounting. The AYE is much like a Reserve Soldier's "Anniversary" date and is a primary date captured in the Retirement Points Accounting System (RPAS). The anniversary year periods listed on the DA Form 5016 are calculated from an anniversary date. The criteria for establishing the service requirement for a satisfactory year of service for non-regular retirement per Department of Defense Instruction 1215.07 and changing the anniversary year ending date are as follows:

- a. The full-year periods used for the crediting of qualifying years for non-regular retirement must be based on the anniversary years. Anniversary year periods are calculated from an anniversary date. The anniversary date is the date the service member entered active service or active status in a RC.
- b. 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 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.

c. 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
- Soldiers may not perform more than 48 BAs per fiscal year. Soldiers must perform RST within 60 days of the missed BA.

//NOTHING FOLLOWS//