

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 November 2024

DOCKET NUMBER: AR20240001551

APPLICANT REQUESTS: retirement points for duty performed for several periods of duty between 2019 and 2022

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

- DD Form 149 (Online Application for Correction of Military Record)
- Order Number 008322, 18 November 2020 AT Orders
- Order Number 013246, 30 December 2020 Annual Training (AT) Orders
- DA Forms 1380 (Record of Individual Performance of Reserve Duty Training)

FACTS:

1. The applicant states a summary of the days that he completed duty but did not receive retirement points is 12 July 2019, 14-15 September 2019, 14-18 December 2020, 4-7 January 2021, 6-18 June 2021, 3-17 January 2022, 14, 16, 23, 26, and 27 March 2022, 3, 18, 22, and 23 April 2022, 1-23 July 2022, 30 August to 10 September 2022, and 11-25 September 2022. He completed duty on the above days, and he submitted the requirement documentation to receive points, but due to errors in the documents, processing delays and transferring between TPU units 3 times during 2019-2020, his points still have not been awarded. He tried to submit a PAR through IPPA, but the PAR was denied because he was past the 1-year deadline to submit for retirement points. He was instructed to submit through the Army Review Boards Agency instead.

2. The applicant provides the following documents:

- a. Orders 008322, 18 November 2020, published by the 99th Readiness Division, which show he was ordered to AT for the period of 5 days, on 14 December 2020.
- b. Orders 013246, 30 December 2020, issued by the 99th Readiness Division, which show he was ordered to AT for the period of 4 days on 4 January 2021.
- c. DA Forms 1380 show he performed duty on:

- 12 July 2019, 8 hours per day, 2 retirement points per day (2 total retirement points)
- 14 September 2019 through 15 September 2019, 8 hours per day, 2 retirement points per day (4 total retirement points)
- 6 June 2021 through 17 June 2021, 8 hours per day, 2 retirement points per day (24 total retirement points)
- 18 June 2021, 8 hours per day, 2 retirement points per day (2 total retirement points)
- 3 January 2022 through 9 January 2022, 8 hours per day, 2 retirement points per day (14 total retirement points)
- 10 January through 17 January 2022, 8 hours per day, 2 retirement points per day (16 retirement points)
- 14, 16, 23, 26 March 2022, 8 hours per day, 2 retirement points per day (8 retirements points)
- 27 March 2022, 4 hours per day, 1 retirement point per day (1 retirement point)
- 3,18,22, and 23 April 2022, 4 hours per day, 1 retirement point per day (4 retirement points)
- 1 July 2022 to 12 July 2022, 4 hours per day, 1 retirement point per day (12 retirement points)
- 13 July to 23 July, 4 hours per day, 1 retirement point per day (11 retirement points)
- 30 August 2022 through 10 September 2022, 4 hours per day, 1 retirement points per day (12 total retirement points)
- 11 September 2022 to 22 September, 8 hours per day, 2 retirement points per day (24 total retirement points)
- 23, 24, 25 September 2022, 8 hours per day, 2 retirement points per day (6 total retirement points)

3. The applicant's service record contains the following documents:

a. DA Form 71 (Oath of Office) shows the applicant took his oath of office in the USAR on 10 May 2013 as a second lieutenant (2LT)/O1. He is currently active in the USAR.

4. DA Form 5016 (Chronological Statement History of Points) reflects the following pertinent information:

- 10 May 2019 thru 9 May 2020: he received: 15 membership points and 223 active duty points
- 10 May 2020 thru 9 May 2021: he received: 15 membership points and 227 active duty points

- 10 May 2021 thru 9 May 2022: he received: 15 membership points and 97 active duty points
- 10 May 2022 thru 12 November 2022: he received 8 membership points and 82 active duty points

5. The applicant's record does not reflect any DA Form 1380's, which were submitted and approved.

6. On 4 October 2024, the Chief, Military Services Office, USAR Command (USARC) provided an advisory opinion, which states, the applicant's documents were reviewed and it was determined that he should be awarded 62 retirement points. The Soldier performed the duty but failed to submit in a timely manner. USARC determined he should be authorized points for the following periods:

12 July 2019 – 8 hours – 2 points
 14 and 15 September 2019 – 8 hours – 2 each day
 15 September 2019 – 8 hours – 2 each day
 6 June 2021 thru 18 June 2021 – 8 hours – 2 each day
 3 January 2022 thru 17 January 2022 – 8 hours– 2 each day

Full administrative relief granted.

7. On 10 October 2024, the advisory opinion was provided to the applicant to allow him the opportunity to respond.

8. On 10 October 2024, the applicant responded to the advisory opinion, which states, "...The advisory opinion recommends in my favor for the Readiness Division to add 62 retirement points based off of my submitted DA 1380s from July 2019 to January 2022. However, I submitted other DA 1380s in my application submission for retirement points from March 2022 to September 2022. These DA 1380s were attached in my online application, but the advisory opinion makes no mention of these points. What is opinion on awarding these points? Is there some supporting documentation that I'm missing? I attached in the following pages a print-out of my online submission with the dates in question highlighted. Thank you for any insight you can provide."

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available evidence and the findings and recommendations of the USARC advisory opinion, the Board concluded there was sufficient evidence to award 62 retirement points to the applicant's military record.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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:	:	:	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 62 qualifying retirement points, based on submitted DA Form 1380 for 12 July 2019 through 17 January 2022, 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:

1. Army Regulation 140-185 (Training and Retirement Point Credits and Unit Level Strength 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. 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//