

IN THE CASE OF: [REDACTED]

BOARD DATE: 14 November 2024

DOCKET NUMBER: AR20240001578

APPLICANT REQUESTS: two non-paid retirement points for duty performed on 23 December 2021 for credit toward retirement year ending 5 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), 17 July 2023
- Memorandum, subject: Lateness Memorandum for DA Form 1380 of Points Only – [Applicant], 13 July 2023
- Memorandum, subject: Assumption of Command, 1 October 2021

FACTS:

1. The applicant states she performed duties for points only, but it was not submitted in time. At the time, the unit did not have human resources personnel to prepare the document.

2. The applicant provides:

a. DA Form 1380, dated 17 July 2023, which shows she performed duty on 23 December 2021 consisting of military equal opportunity professional development training/equal opportunity leader duties for 8 hours. The form is authenticated by her company commander and digitally signed on 17 July 2023.

b. Memorandum, subject: Lateness Memorandum for DA Form 1380 of Points Only – [Applicant], 13 July 2023, which states:

(1) This memorandum is to certify that during the process of the 76th Quartermaster Detachment creation they did not ha[ve] human resource personnel to prepare the DA Form 1380 for [Applicant] for duties performed on 23 December 2021.

(2) Please accept this letter of lateness and process DA Form 1380 for points only on Soldier's record for fiscal year 2022.

c. Memorandum, subject: Assumption of Command, 1 October 2021, which shows the individual that authenticated her DA Form 1380 is the individual that assumed command.

3. A review of the applicant's service record shows:

a. On 6 September 2002, she enlisted in the Army National Guard (ARNG).

b. On 31 October 2004, she was honorably discharged from the ARNG after 2 years, 1 month, and 25 days of service.

c. On 17 October 2009, she enlisted in the U.S. Army Reserve (USAR).

d. She served on active duty from 23 September 2017 to 18 December 2017, in support of Hurricane Maria.

e. A review of her DA Form 5016 (Chronological Statement of Retirement Points) shows she has 15 years of qualifying service for retirement.

f. She continues service in the USAR as a sergeant first class.

4. On 8 October 2024, in the processing of this case, U.S. Army Reserve Command provided an advisory opinion regarding the applicant's request to be awarded retirement points for duty she performed on 23 December 2023. The advisory official, after review, stated, the applicant should be awarded two retirement points based off Army Regulation 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). The Soldier was unable to submit the DA Form 1380 in a timely manner and is outside the window in the regulation. However, they did perform the duty. A favorable opinion by the Army Review Boards Agency will allow the readiness division to update the applicant's record. Full administrative relief granted.

5. On 10 October 2024, the Army Review Boards Agency, Case Management Division provided the applicant the advisory opinion for an opportunity to review and comment. She did not respond.

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 Board carefully considered the applicant's record of service, documents submitted in support of the petition, and executed a comprehensive review based on law, policy, and regulation. The Board reviewed and concurred with the U.S. Army Reserve Command's advising

official and determined the evidence supports the applicant was unable to submit his DA Form 1380 in a timely manner; however, did perform the duty. Therefore, the Board determined the applicant should be awarded two retirement points for 23 December 2023.

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 awarding the applicant qualifying retirement points on the dates indicated below, provided all other criteria is met: two retirement points for 23 December 2023.

6/10/2025

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:

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. 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. 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//