

# ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

## RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 November 2024

DOCKET NUMBER: AR20240001618

APPLICANT REQUESTS: retirement points credit for duties performed in the U.S. Army Reserve during January 2023 and April through July 2023.

### 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, April through July 2023 and January 2023
- Memorandum for Record, 7 December 2023, Commander's Approval for [Applicant] for EBDL (DL) Attendance

### FACTS:

1. The applicant states she is requesting to update to points for RYE (Retirement Year Eligibility) year 2023. She could not submit the DA Forms 1380 for pay due to funding. She is only requesting points only for EBDL (electronic based distributed learning) requested during RYE year 2023.

2. The applicant served in the Regular Army on active duty from 21 January 2023 to 10 October 2014. On discharge from active duty, she was transferred to the U.S. Army Reserve.

3. On 17 March 2023, the applicant was issued a Notification of Eligibility fir Retired Pay at Age 60 (20-Year Letter).

4. The applicant's DA Form 5016 (Retirement Accounting Statement), dated 3 January 2024 shows she has completed 20 qualifying years of service broken down as follows:

BEGIN DATE	END DATE	MIL PER CLASS	SERVICE TYPE	INACTIVE DUTY POINTS	EXT COURSE POINTS	MEMBER -SHIP POINTS	ACTIVE DUTY POINTS	QUALIFYING FOR RETIREMENT			POINTS EARNED	POINTS CREDIT-ABLE	NOT CREDITED REASON(S)
								YRS	MOS	DAYS			
20201205	20211204	E	TPU	24	0	15	40	01	00	00	79	79	
20211205	20221113	E	TPU	30	0	14	22	00	11	10	66	66	
20221114	20221204	E	TPU	0	0	1	0	00	00	20	1	1	
20221205	20231204	E	TPU	23	0	15	5	00	00	00	43	43	
20231205		E	TPU	0	0	0	0	00	00	00	0	0	
CAREER TOTALS				330	0	139	4478	20	00	00	4947	4947	

5. The applicant provides two DA Form 1380 together with a letter from her commander that reads: "I approve [Applicant] for payment of Sergeant Major Academy Class # SMC-DL 49, and 80 hours. Completion of this course is primary military education. Applicant is directed to enroll in this Electronic Based Distributive Learning (EBDL) Course and must complete this training independently of battle assembly or under orders or any other type of training or duty period. This Soldier is eligible for 80 hours of EBDL (Code 42) pay, subject to the availability of funds for their rank. Upon completion of the course, [Applicant] will send the completion certificate to the Unit for payment. Dates of completion will be recorded on a DA Form 1380 in accordance with Army Regulation (AR) 140-185, Training and Retirement Point Credits and Unit Level Strength Accounting Records.

- DA Form 1380 dated 7 December 2023, 4 hours of duty (N1) for Points Only performed on 1, 2, 3, and 4 January 2023
- DA Form 1380 dated 7 December 2023, 4 hours of duty (N1), for Points Only performed on 11 and 12 April, 1, 2, and 3 May, 1 June, 2 and 31 July 2023

6. On 12 August 2024, the U.S. Army Reserve Command ((USARC) provided an advisory opinion in the processing of this case. USARC reviewed [Applicant's] documents in accordance with Army Regulation (AR) 140-185, Training and Retirement Point Credits and Unit Level Strength Accounting Records and they should not be awarded any points. EBDL is award one (1) point per eight (8) hours of course work. 8 hours is equal to N1. The DA Form 1380s will need be redone with the correct hours in block 9.b. No administrative relief granted.

7. The applicant was provided with a copy of this advisory opinion. She responded by email stating she is responding to the corrections required for her retirement points and re-submitted her DA Forms 1380 as follows:

- DA Form 1380 dated 30 October 2023 (signed on 14 November 2023), EBDL, 8 hours of duty (N1) for Points Only performed on 1-4 January, 10-11 February, 1-2 March, and 1-4 April 2023
- DA Form 1380 dated 30 October 2023 (signed on 14 November 2023), EBDL, 8 hours of duty (N1), for Points Only performed on 11-12 April, 1-3 May, 1-4 June, and 3-6 July 2023

8. In response to her submission, USARC updated its advisory opinion to read USARC reviewed the applicant's documents in accordance with AR 140-185 and they should be awarded 24 points. Originally, the SGM's academy was not on the EBDL list. A favorable determination by ARBA would allow the Readiness Divisions to update the points record for the Soldier. Full administrative relief granted.

9. By regulation, each eight (8) hours of successfully completed EBDL course work will earn a Soldier credit for completion of one paid ATA and one IDT Duty retirement point. All EBDL courses list academic hours in the ATRRS Unofficial Transcript which should be used to calculate ATA compensation.

BOARD DISCUSSION:

1. 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 request and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's request, available military records and U.S. Army Reserve Command (USARC) advisory opinion, the Board concurred with the advising official recommendation for approval finding in accordance with AR 140-185, the applicant should be awarded 24 points. The opine noted that originally, the SGM's academy was not on the EBDL list.

2. The Board determined there is sufficient evidence to support the applicant's contentions for retirement points credit for duties performed in the U.S. Army Reserve during January 2023 and April through July 2023. The Board agreed based on the advising opine recommendation and corrected DA Form 1380's relief is warranted. As such, the Board granted relief to show the applicant is awarded 24 points for the following periods:

- DA Form 1380 dated 30 October 2023 (signed on 14 November 2023), EBDL, 8 hours of duty (N1) for Points Only performed on 1-4 January, 10-11 February, 1-2 March, and 1-4 April 2023
- DA Form 1380 dated 30 October 2023 (signed on 14 November 2023), EBDL, 8 hours of duty (N1), for Points Only performed on 11-12 April, 1-3 May, 1-4 June, and 3-6 July 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 to show the applicant submitted her DA Form 1380's in a timely manner and should be awarded 24 points point for service performed on:

- DA Form 1380 dated 30 October 2023 (signed on 14 November 2023), EBDL, 8 hours of duty (N1) for Points Only performed on 1-4 January, 10-11 February, 1-2 March, and 1-4 April 2023
- DA Form 1380 dated 30 October 2023 (signed on 14 November 2023), EBDL, 8 hours of duty (N1), for Points Only performed on 11-12 April, 1-3 May, 1-4 June, and 3-6 July 2023

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 135-180 (Army National Guard and Reserve, Retirement for Regular and Non-Regular Service) prescribes policy and procedures governing the granting of retired pay for non-regular service to Soldiers in the Army National Guard (ARNG), Army National Guard of the United States (ARNGUS), and the U.S. Army Reserve (USAR). The DA Form 5016 (Retirement Accounting Statement) provides members of the Reserve Components a detailed listing of retirement points earned in the previous completed anniversary years and assists units and Soldiers in verifying retirement points earned during the annual review. Appendix B-1 provides a detailed and long listing of service creditable as qualifying service and Appendix B-2 provides a listing of service not creditable as qualifying service.

2. Army Regulation 140-185, Training and Retirement Points Credits and Unit Level Strength Accounting Records, sets responsibilities and procedures to establish and maintain retirement records prescribing the types of training and activities for which retirement points are authorized. Paragraph 3-3 covers the DA Form 1380:

a. The purpose of this form is to record IDT (Inactive Duty Training) by—

(1) Troop Program Unit (TPU) Soldiers performing IDT assemblies when pay is authorized, and the Soldier is not present to sign the IDT attendance roster.

(2) TPU Soldiers attached to another USAR (U.S. Army Reserve) unit for 89 or fewer days. In such cases the unit of attachment will prepare DA Form 1380 and forward to unit of assignment for recording attendance.

(3) Non-unit Soldiers under the jurisdiction of AHRC who are attached for retirement points only to USAR TPUs, ARNG units, or to another Service or component for training per AR 140–10. Only attached Soldiers are authorized to perform IDT except for one annual physical health assessment each for medical and dental readiness when authorized by the command prior to the event. Note: Non-unit Soldiers attached for retirement point credit to IMA (Individual Mobilization Augmentee) detachments are reported on DA Form 1379 for those units.

(4) Non-unit Soldiers performing other inactive duty training for retirement point credit as outlined in table 2–3.

b. The DA Form 1380 will be prepared for a unit Soldier who performs ET (equivalent training) or additional training with their unit after the scheduled BA (battle Assembly). TPU units will retain one copy of the DA Form 1380 to post the appropriate entry into ADARS (Automated Drill Attendance Reporting Software) for the month's report and then place in the appropriate Army records information management system file. Nonpaid DA Forms 1380 will not be entered into ADARS and will be forwarded to AHRC for award of retirement points no later than the end of each duty month. The DA Form 1380 will be scanned into the Soldier's iPERMS by the unit of assignment.

//NOTHING FOLLOWS//