

IN THE CASE OF: [REDACTED]

BOARD DATE: 26 November 2024

DOCKET NUMBER: AR20240001937

APPLICANT REQUESTS: correction of his reserve retirement points for duty performed.

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

- DD Form 149 (Application for Correction of Military Record)
- Six DA Forms 1380 (Record of Individual Performance of Reserve Duty Training)

FACTS:

1. The applicant states he is missing retirement points, causing him to have a bad year. He assisted in battle assemblies, during this time. He has submitted documentation through the proper channels, but no changes have been made. He submitted his DA Forms 1380 beyond the 60-day requirement. At the time, he was instructed by his battalion S-1 to use an N in lieu of signature on the battle assembly sign-in roster on the desired blocks to waive pay and collect retirement points only. He was not aware that effect 1 April 2022, U.S. Army Human Resources Command Personnel Actions Branch was no longer processing Troop Program Unit non-paid retirement points and he needed of a DA Form 1380 specifying the collection of retirement points only and continued to use the previous practice. After he reviewed his DA Form 5016 (Chronological Statement of Retirement Points), he became aware that retirement points were missing causing the late submission of his documents.

2. The applicant provides DA Forms 1380 (Record of Individual Performance of Reserve Training), which show he performed duty on:

- 6 and 7 November 2021, 8 hours per day, 2 retirement points per day (4 total retirement points)
- 4 and 5 December 2021, 8 hours per day, 2 retirement points per day (4 total retirement points)
- 7, 8, and 9 January 2022, 8 hours per day, 2 retirement points per day (6 total retirement points)
- 5 and 6 February 2022, 8 hours per day, 2 retirement points per day (4 total retirement points)

- 5 and 6 March 2022, 8 hours per day, 2 retirement points per day (4 total retirement points)
- 13, 14, and 15 May 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. DD Form 4 (Enlistment/Reenlistment Document Armed Forces of the United States) shows he enlisted in the U.S. Army Reserve (USAR) on 9 October 2002. He remains in the USAR through immediate reenlistments.
- b. DA Form 5016 (Chronological Statement of Retirement Points), 24 November 2024 shows from 9 October 2021 through 8 October 2022 he received 17 inactive duty points, 15 membership points, and 17 active duty points. He received 49 total points creditable, and did not receive a qualifying year for retirement.

4. On 7 October 2024, Headquarters, USAR Command (USARC) provided an advisory opinion, stating USARC reviewed his documents and determined he should be awarded 23 retirement points. The following dates have already been compensated one point 6 November 2021, 4 hours, 1 point; 7 January 2022, 4 hours, 1 point; 5 February 2022, 4 hours, 1 point; 5 March 2022, 4 hours, 1 point; and 13 May 2022, 4 hours, 1 point. Partial administrative relief granted.

5. On 9 October 2024, the advisory opinion was provided to the applicant to allow him the opportunity to respond. He 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 receiving credit for 23 retirement points for duty performed on 6-7 November 2021, 4-5 December 2021, 7,8-9 January 2022, 5-6 February 2022, 5-6 March 2022, 14, 14-15 May 2022.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

<input type="checkbox"/>	<input type="checkbox"/>	<input 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:

- 3 retirement points for 6 and 7 November 2021
- 4 retirement points for 4 and 5 December 2021
- 5 retirement points for 7, 8, and 9 January 2022
- 3 retirement points for 5 and 6 February 2022
- 3 retirement points for 5 and 6 March 2022
- 5 retirement points for 13, 14, and 15 May 2022

3/28/2025

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 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//