

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 6 November 2024

DOCKET NUMBER: AR20240002158

APPLICANT REQUESTS: correction of his DA Form 5016 (Retirement Accounting Statement) to add the following:

- Retirement Year Ending (RYE) 2 November 2022; 3 retirement points
- RYE 2 November 2023; 9 retirement points

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), October 2022
- DA Form 1380, between January 2023 and May 2023

FACTS:

1. The applicant states he believes his record is in error because he did not meet the suspense timeline of submitting DA Form 1380 points within six months of completion.
2. A review of the applicant's official record shows the following:
  - a. The applicant executed an oath of office on 3 November 2005 and was appointed as a Reserve commissioned officer.
  - b. Orders Number T-12-515796 issued by the U.S. Army Human Resources Command (AHRC) dated 16 December 2005, ordered the applicant to active duty for training (ADT) to complete Chaplain Officer Basic Course.
  - c. Orders Number M-04-601095 issued by AHRC dated 12 April 2006, relieved the applicant from his Reserve Component Status and ordered him to active duty.
  - d. The applicant executed an oath of office on 4 June 2007 and was appointed as a Regular Army commissioned officer in the rank/grade of captain (CPT/O-3).

e. DD Form 214 (Certificate of Release or Discharge from Active Duty) shows he was honorably released from active duty on 1 October 2016, with a narrative reason, "Non-selection, Permanent Promotion", and transferred to Headquarters and Headquarters Detachment, 505th Military Intelligence Group. He completed 9 years, 3 months, and 28 days of net active service this period.

f. The applicant executed an oath of office on 2 October 2016 and was appointed as a Reserve Army commissioned officer.

g. DA Form 1380, dated 16 March 2024, shows the applicant completed training on 28 June 2024 and 27 July 2024, for 4 hours each, totaling 2 retirement points.

h. Memorandum, Subject: Approval of U.S. Army Reserve Chaplain (Major) R.I.E. (the applicant) Mandatory Removal Date (MRD) Extension Request, dated 8 December 2022, shows an approved new MRD for the applicant from 31 July 2023 to 31 July 2025.

i. DA Form 5016 dated 2 December 2023, shows the following:

- for the RYE on 2 November 2022, the applicant earned 50 Inactive Duty Training (IDT) points, 15 membership points, and 17 Active-Duty Training (ADT) points, totaling 82 total points creditable
- for the RYE on 2 November 2023, the applicant earned 55 IDT points, 15 membership points, and 20 ADT points, totaling 90 total points creditable
- at the time the applicant completed 18 years of qualifying service for retirement

j. DA Form 5016 (DRAFT ONLY - Retirement Accounting Statement – DRAFT ONLY) dated 9 May 2024, shows the following:

- for the RYE on 2 November 2022, the applicant earned 50 IDT points, 15 membership points, and 17 ADT points, totaling 82 total points creditable
- for the RYE on 2 November 2023, the applicant earned 55 IDT points, 15 membership points, and 20 ADT points, totaling 90 total points creditable

k. He continues service in the USAR.

3. The applicant provides:

a. DA Form 1380 dated 16 January 2023, showing the applicant completed training on the following dates and was endorsed by Lieutenant Colonel (LTC) J- T-:

- 19 October 2022, for 4 hours, totaling 1 retirement point

- 21 October 2022, for 4 hours, totaling 1 retirement point
- 23 October 2022, for 4 hours, totaling 1 retirement point

b. DA Form 1380 dated 16 January 2023, showing the applicant completed training on the following dates and was endorsed by LTC J- T-:

- 30 January 2023, for 8 hours, totaling 2 retirement points
- 29 April 2023, for 8 hours, totaling 2 retirement points
- 26 April 2023, for 8 hours, totaling 2 retirement points
- 25 April 2023, for 8 hours, totaling 2 retirement points
- 20 May 2023, for 4 hours, totaling 1 retirement point

4. On 23 September 2024, in the processing of this case, the U.S. Army Reserve Command, STL, Military Services Office, provided an advisory opinion recommending approval and stating:

a. USARC reviewed the applicant's documents and determined he should be awarded 12 retirement points based off Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). The applicant performed the duty but failed to submit in a timely manner. A favorable opinion by the Board will allow the Readiness Division to update his record.

b. Full administrative relief granted.

5. On 27 September 2024, the applicant was provided with a copy of the advisory opinion for comment or rebuttal.

6. On 30 September 2024, he responded via email and stated he concurred with the advisory opinion.

#### 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 and standard review based on law, policy and regulation. Upon review of the applicant's petition, available military records and Headquarters, United States Army Reserve Command – Military Services Office advisory opinion, the Board concurred with the advising official recommendation to grant relief finding the applicant should be awarded 12 retirement points based on regulatory guidance. The Board determined there is sufficient evidence to support the applicant's contentions based on the advising official recommendation. Therefore, the

Board granted relief for correction of his DA Form 5016 (Retirement Accounting Statement) by add the following: retirement year Ending (RYE) 2 November 2022, 3 retirement points and RYE 2 November 2023; 9 retirement points.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

█	█	█	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 should be awarded

Retirement Year Ending (RYE) 2 November 2022, 3 retirement points  
Retirement Year Ending (RYE) 2 November 2023; 9 retirement points.

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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.

REFERENCE:

AR 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records), paragraph 3-3 (DA Form 1380) provides that the DA Form 1380 is utilized to record IDT performed by non-unit Soldiers under the jurisdiction of HRC who are attached for retirement points only to USAR Troop Program Units, Army National Guard units, or to another service or component for training. Only attached Soldiers are authorized to perform IDT with the exception of one annual physical health assessment each for medical and dental readiness when authorized by the command prior to the event.

a. Nonpaid DA Forms 1380 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.

b. With regard to awarding of retirement points for IDT (Four-Hour Rule), Service Members will be awarded one point for each 4-hour period of IDT duty performed. Maximum of two points per calendar day applies to IDT duty. Duty must be 8 hours in duration to receive two points per day.

//NOTHING FOLLOWS//