

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 23 July 2024

DOCKET NUMBER: AR20240002627

APPLICANT REQUESTS: reconsideration of his previous request to show service for points only performed in 2019, 2020, and 2021.

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

- DD Form 149 (Application for Correction of Military Record)
- Email correspondence number 1
- DA Form 1380 (Record of Individual Performance of Reserve Duty Training)  
3 March 2019
- DA Form 1380, 21 July 2019
- DA Form 1380, 18 August 2019
- DA Form 1380, 19 September 2019
- DA Form 1380, 21 September 2019
- DA Form 1380, 25 September 2019
- DA Form 1380, 7 October 2019
- DA Form 1380, 18 November 2019
- DA Form 1380, 9 December 2019
- DA Form 1380, 9 January 2020
- DA Form 1380, 14 January 2020
- DA Form 1380, 19 June 2020
- DA Form 1380, 26 June 2020
- DA Form 1380, 31 July 2020
- DA Form 1380, 13 September 2020
- DA Form 1380, 13 December 2020
- DA Form 1380, 7 February 2021
- DA Form 1380, 8 March 2021
- DA Form 1380, 30 March 2021
- DA Form 1380, 24 May 2021
- DA Form 1380, 27 July 2021
- DA Form 1380, 9 August 2021
- Voucher number 8217845, 25 September 2019
- Voucher number 8877939, 8 March 2021
- Email correspondence number 2

- DA Forms 2823 (Sworn Statement)
- Army Board for Correction of Military Records (ABCMR) Docket Number AR20230000876, 30 August 2023

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's case by the ABCMR in Docket Number AR20230000867 on 30 August 2023.

2. The applicant states, an error in his DA Forms 1380 have been overlooked. This is his second Army Review Boards Agency (ARBA) submission. ARBA approved his original submission but only processed three of his DA Forms 1380 for correction. He is currently working in an office/unit that houses two completely different transportation companies. He supported both companies which is why he has multiple drill dates per month. Regardless, the DA Forms 1380 were approved via the letter in the mail stating so and that he would be awarded his 20 Year letter. That cannot happen until these remaining DA Forms 1380 get processed correctly/approved again. He has been working diligently for three years, working closely with Mr. J\_ V\_ and Ms. D\_ K\_ to resolve the issue so that he may simply retire.

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

a. On 30 October 2000 he enlisted in the North Carolina Army National Guard (NCARNG).

b. National Guard Bureau Form 22 (Report of Separation and Record of Service) dated 11 November 2009 shows he was honorably released from the ARNG and transferred to a U.S. Army Reserve (USAR) Troop Program Unit. He completed 9 years and 12 days of net service.

c. On 12 November 2009, he enlisted in the USAR.

d. DA Form 5016 (Retirement Accounting Statement), dated 22 December 2022 shows the following:

(1) For the Retirement Year Ending (RYE) on 29 October 2019, the applicant earned 49 Inactive Duty Training (IDT) points, 15 membership points, and 4 Active Duty Training (ADT) points, totaling 68 total points creditable.

(2) For the RYE on 29 October 2020, the applicant earned 5 IDT points, 15 membership points, and 14 ADT points, totaling 34 total points credible.

(3) For the RYE on 29 October 2021, the applicant earned 8 IDT points, 15 membership points, and 9 ADT points, totaling 32 total points credible.

(4) The DA Form 5016 shows at the time the applicant completed 18 years of qualifying service for retirement.

e. He continues service in the USAR.

f. On 30 August 2023, in ABCMR Docket Number AR20230000876, the Board determined:

(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 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 the United States Army Reserve Command (USARC), Branch Chief, advisory opinion, the Board concurred with the advising official recommendation stating the applicant should be awarded points for duties performed in accordance with Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). Full administrative relief granted for all requested retirement points. Based on the UASRC opine, the Board granted relief for correction of his retirement points to reflect the inclusion of service for points only performed in 2019, 2020, and 2021.

(2) 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 his DA Forms 1380 in a timely manner to USARC for the following periods:

- DA Form 1380, dated 7 October 2019
- DA Form 1380, dated 9 February 2020
- DA Form 1380, dated 19 June 2020

g. DA Form 5016 (Retirement Accounting Statement), dated 1 February 2024 shows the following:

(1) For the RYE on 29 October 2019, the applicant earned 57 IDT points, 15 membership points, and 4 ADT points, totaling 76 total points creditable.

(2) For the RYE on 29 October 2020, the applicant earned 5 IDT points, 15 membership points, and 14 ADT points, totaling 34 total points credible.

(3) For the RYE on 29 October 2021, the applicant earned 33 IDT points, 15 membership points, and 9 ADT points, totaling 57 total points credible.

(4) The DA Form 5016 shows at the time the applicant completed 19 years of qualifying service for retirement.

4. The applicant provides:

a. Email correspondence number 1 wherein Master Sergeant (MSG) Am\_ As\_ discusses the applicant's missing retirement points with the applicant and USARC.

b. DA Form 1380, dated 3 March 2019, showing the applicant completed training on 2 and 3 March 2019, for 8 hours each, totaling 4 retirement points.

c. DA Form 1380, dated 21 July 2019, showing the applicant completed training on 17,18, and 21 July 2019, for 8 hours each, totaling 6 retirement points.

d. DA Form 1380, dated 18 August 2019, showing the applicant completed training on 17 and 18 August 2019, for 8 hours each, totaling 4 retirement points.

e. DA Form 1380, dated 19 September 2019, showing the applicant completed training on 18 and 19 September 2019, for 8 hours each, totaling 4 retirement points.

f. DA Form 1380, dated 21 September 2019, showing the applicant completed training on 20 and 21 September 2019, for 8 hours each, totaling 4 retirement points.

g. DA Form 1380, dated 25 September 2019, showing the applicant completed training on 25 September 2019, for 4 hours, totaling 1 retirement point.

h. DA Form 1380, dated 7 October 2019, showing the applicant completed training on 4,5, and 6 October 2019, for 8 hours each, totaling 6 retirement points.

i. DA Form 1380, dated 18 November 2019, showing the applicant completed training on 16 and 17 November 2019, for 8 hours each, totaling 4 retirement points.

j. DA Form 1380, dated 9 December 2019, showing the applicant completed training on 7 and 8 December 2019, for 8 hours each, totaling 4 retirement points.

k. DA Form 1380, dated 9 January 2020, showing the applicant completed training on 7 and 8 January 2020, for 8 hours each, totaling 4 retirement points.

l. DA Form 1380, dated 14 January 2020, showing the applicant completed training on 11 and 12 January 2020, for 8 hours each, totaling 4 retirement points.

m. DA Form 1380, dated 19 June 2020, showing the applicant completed training on 17,18, and 19 June 2020, for 8 hours each, totaling 6 retirement points.

n. DA Form 1380, dated 26 June 2020, showing the applicant completed training on 26 June 2020, for 8 hours, totaling 2 retirement points.

o. DA Form 1380, dated 31 July 2020, showing the applicant completed training on 27 and 30 July 2020, for 8 hours each, totaling 4 retirement points.

p. DA Form 1380, dated 13 September 2020, showing the applicant completed training on 12 and 13 September 2020, for 8 hours each, totaling 4 retirement points.

q. DA Form 1380, dated 13 December 2020, showing the applicant completed training on 12 and 13 December 2020, for 8 hours each, totaling 4 retirement points.

r. DA Form 1380, dated 7 February 2021, showing the applicant completed training on 6 and 7 February 2021, for 8 hours each, totaling 4 retirement points.

s. DA Form 1380, dated 8 March 2021, showing the applicant completed training on 8 March 2021, for 4 hours, totaling 1 retirement point.

t. DA Form 1380, dated 30 March 2021, showing the applicant completed training on 29 and 30 March 2021, for 8 hours each, totaling 4 retirement points.

u. DA Form 1380, dated 24 May 2021, showing the applicant completed training on 22 and 23 May 2021, for 8 hours each, totaling 4 retirement points.

v. DA Form 1380, dated 27 July 2021, showing the applicant completed training on 26 and 27 July 2021, for 8 hours each, totaling 4 retirement points.

w. DA Form 1380, dated 9 August 2021, showing the applicant completed training on 7 and 8 August 2021, for 8 hours each, totaling 4 retirement points.

x. All DA Forms 1380 were endorsed either by MSG Am- As- and Sergeant First Class (SFC) A- M-.

y. Voucher number 8217845 dated 25 September 2019, showing the applicant attended an appointment for a dental exam and dental x-ray.

z. Voucher number 8877939 dated 8 March 2021, showing the applicant attended a Periodic Health Assessment appointment.

aa. Email correspondence number 2 wherein the applicant inquired with ARBA pertaining to ABCMR Docket Number AR20230000876. He noticed he was only awarded points for three of his DA Forms 1380 (7 October 2019, 9 February 2020, and June 2020) and not his entire submission. He cites the initial advisory opinion which stated he was going to be awarded all retirement points which would allow him to complete 20 years of service.

bb. DA Forms 2823 dated 12 November 2022 and 10 November 2022 from MSG A\_M\_, MSG Am- As-, and Sergeant First Class J- L-, each providing supporting statements to attest to the applicant's attendance for the training dates submitted.

5. On 2 July 2024, in the processing of this case, the USARC, Chief, Soldier Programs Branch, provided an advisory opinion recommending approval and stating:

a. The applicant has submitted DA Forms 1380 for the following periods: 2-3 March 2019, 17-18 July 2019, 21 July 2019, 17-18 August 2019, 18-21 September 2019, 25 September 2019, 16-17 November 2019, 7-8 December 2019, 7-8 January 2020, 11-12 January 2020, 17-18 June 2020, 26 June 2020, 27 July 2020, 30 July 2020, 12-13 September 2020, 12-13 December 2020, 6-7 February 2021, 8 March 2021, 29-30 March 2021, 22-23 May 2021, 26-27 July 2021, and 7-8 August 2021.

b. USARC reviewed the applicant's documents and determined he should be awarded points based off AR 140-185. The applicant's records were not processed properly by the unit because he was supporting two Transportation Companies on different weekends.

6. On 12 July 2024, the applicant was provided with a copy of the advisory opinion for comment or rebuttal. He responded via email and stated he concurred with the advisory opinion with the exception of the DA Form 1380 dated 19 June 2020 (19 June 2020 was not credited).

7. On 15 July 2024, the USARC, Chief, Soldier Programs Branch, responded to the applicant's rebuttal stating 19 June 2020 was already listed as one of the three periods to be corrected in ABCMR Docket Number AR20230000876. The corrections should have already been made by the USAR Readiness Division.

#### 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 applicant's contentions, the military record, and regulatory guidance were carefully considered. The applicant provides multiple DA Form 1380, for duties performed [He submitted DA Form 1380s for periods: 7-8 January 2019, 2-3 March 2019, 17-18 July 2019, 21 July 2019,

17-18 August 2019, 18-21 September 2019, 25 September 2019, 16-17 November 2019, 7-8 December 2019, 7-8 January 2020, 11-12 January 2020, 17-18 June 2020, 26 June 2020, 27 July 2020, 30 July 2020, 12-13 September 2020, 12-13 December 2020, 6-7 February 2021, 8 March 2021, 29-30 March 2021, 22-23 May 2021, 26-27 July 2021, and 7-8 August 2021]. The Board reviewed and agreed with the USARC advisory official's finding that the applicant should be awarded an appropriate number of retirement points based off AR 140-185. The applicant's records were not processed properly by the unit because the Soldier was supporting two Transportation Companies on different weekends. In view of delays in processing that were not the Soldier's fault, the Board determined relief is warranted.

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 amendment of the ABCMR's decision in Docket Number AR20230000867 on 30 August 2023. 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, based on his submitted DA Forms 1380, (points only), 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.

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//