

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 December 2024

DOCKET NUMBER: AR20240003146

APPLICANT REQUESTS: correction of retirement points for qualifying service performed in September and December 2022.

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

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

FACTS:

1. The applicant states his records do not accurately reflect service credit for qualifying service performed in September and December 2022. He contests that he performed qualifying service for points only during this period.

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

a. After serving in both the Regular Army and Army National Guard, on 18 November 2020, the applicant enlisted in the U.S. Army Reserve (USAR).

3. The applicant provides:

a. DA Form 1380 dated 11 September 2022, reflective of the applicant's performance of qualifying service (administrative work) for points only on 10-11 September 2022 (8 hours per day/4 points total).

b. DA Form 1380 dated 3 December 2022, reflective of the applicant's performance of qualifying service (administrative work) for points only on 3-4 December 2022 (8 hours per day/4 points total).

4. A review of the applicant's DA Form 5016 (Retirement Accounting Statement) dated 8 March 2024, reflects that for Annual Year Ending (AYE) 13 November 2022, covering the period of 3 February 2022 – 13 November 2022, the applicant was awarded 92 points, of which is comprised of 24 Inactive Duty Training (IDT), 12 membership and 56 Active-Duty Training (ADT) points. For AYE 2 February 2023, covering the period of

14 November 2022 -2 February 2023, the applicant was awarded 7 points, of which is comprised of 4 IDT and 3 membership points.

5. On 24 September 2024, Headquarters, U.S. Army Reserve Command, Military Services Office, provided an advisory opinion recommending that the applicant be awarded 8 retirement points noting that he performed the duty but failed to submit the supporting documents within a timely manner.

6. On 9 October 2024, the applicant was provided with a copy of the advisory opinion and afforded 15 days to provide comments. The applicant 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 performed duty but failed to submit the supporting documents in a timely manner and should be awarded eight 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 by awarding the applicant qualifying retirement points on the dates indicated below, provided all other criteria is met:

- 2 retirement points for 10 September 2022
- 2 retirement points for 11 September 2022
- 2 retirement points for 3 December 2022
- 2 retirement points for 4 December 2022

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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:

Army Regulation 140-185 (Training and Retirement Point Credits and Unit Level Strength and Accounting Records) 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 qualifying year of service for non-regular retired pay is a full year during which a Reserve Component (RC) member is credited with a minimum of 50 retirement points. Except as otherwise provided by law, an accumulation of 20 such years is one requirement necessary to qualify for non-regular retired pay. The Anniversary Year Ending (AYE) date is the annual date that a Soldier's retirement point record is closed out. It is utilized when referring to retirement points accounting. The AYE is much like a Reserve Soldier's "Anniversary" date and is a primary date captured in the Retirement Points Accounting System (RPAS). The anniversary year periods listed on the DA Form 5016 are calculated from an anniversary date. The criteria for establishing the service requirement for a satisfactory year of service for non-regular retirement per Department of Defense Instruction 1215.07 and changing the anniversary year ending date are as follows:

a. The full-year periods used for the crediting of qualifying years for non-regular retirement must be based on the anniversary years. Anniversary year periods are calculated from an anniversary date. The anniversary date is the date the service member entered active service or active status in a RC.

b. Paragraph 2–2, states retirement points may be earned by USAR Soldiers for Active Duty (AD), or while in an active Reserve status, for 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 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.

c. 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
- Soldiers may not perform more than 48 BAs per fiscal year. Soldiers must perform RST within 60 days of the missed BA.

//NOTHING FOLLOWS//