

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 December 2024

DOCKET NUMBER: AR20240003226

APPLICANT REQUESTS: correction of retirement points for Annual Year Ending (AYE) 13 May 2023.

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)
- Command and General Staff Officer Course (CGSOC) Intermediate Level Education (ILE) Evaluation Form, 7 March 2024

FACTS:

1. The applicant states her records are incorrect because they do not accurately reflect credit for all qualifying service performed in 2022 and 2023. The applicant contests that her submitted DA Forms 1380 were denied because they were not submitted during the months that the duty was performed.

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

a. After serving in the Army National Guard as both an enlisted Soldier and a commissioned officer, on 30 January 2010, the applicant was transferred into the U.S. Army Reserve (USAR).

b. On 5 June 2020, the U.S. Army Human Resources Command (AHRC) issued Orders Number C-06-007328 reassigning the applicant to the Individual Mobilization Augmentee (IMA) program, effective 5 June 2020.

c. On 18 February 2022, AHRC issued Orders Number C-02-202941 reassigning the applicant as an IMA to the U.S. Army Special Operations Command, effective 18 February 2022.

3. The applicant provides:

a. DA Form 1380 dated 23 November 2022 reflective of the applicant's performance of qualifying service (Inactive Duty Training (IDT)) for pay on 21-23 November 2022 (8 hours per day/6 points total).

b. DA Form 1380 dated 30 December 2022, reflective of the applicant's performance of qualifying service (IDT) for pay on 29-30 December 2022 (8 hours per day/4 points total).

c. DA Form 1380 dated 24 March 2023, reflective of the applicant's performance of qualifying service (IDT) for pay on 16-17 and 20-24 March 2023 (8 hours per day/14 points total).

d. DA Form 1380 dated 4 April 2023, reflective of the applicant's performance of qualifying service (IDT) for pay on 3-4 April 2023 (8 hours per day/4 points total).

e. DA Form 1380 dated 12 May 2023, reflective of the applicant's performance of qualifying service (IDT) for pay on 10-12 May 2023 (8 hours per day/4 points total).

f. CGSOC ILE Evaluation Form dated 7 March 2024, reflective of the applicant's completion of ILE course work between June 2023 and November 2023.

4. A review of the applicant's DA Form 5016 (Retirement Accounting Statement), dated 12 June 2024, reflects that for AYE 2023, covering the period of 14 November 2022 – 13 May 2023, the applicant was awarded 55 retirement points of which is comprised of 48 IDT and 7 membership points.

5. On 9 October 2024, the AHRC, Chief, Personnel Services Division, provided an advisory opinion noting that the submitted documentation reflects that the performance of qualifying service was completed for payment purposes. In accordance with Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength and Accounting Records), nonpaid DA Forms 1380 must be digitally signed and submitted no later than 90 days from the date the duty was performed. The applicant has already received payment and retirement points for duties performed in November 2022, December 2022, and March 2023, so no further action is required for those months. However, the applicant needs to correct the DA Forms 1380 for April and May 2023, which were prepared for pay and resubmit them for processing as "points only/nonpaid." AHRC still requires the corrected DA Forms 1380.

6. On 22 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 not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The Board reviewed and concurred with the U.S. Army Human Resource Command's (HRC) advising official finding the applicant had been processed for several months of the requested relief and for those that were not, corrections needed to be made and submitted to HRC for processing. The Board determined no administrative relief should be granted.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
■	■	■	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

■

■

■

■

■

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 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 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//