

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 15 October 2024

DOCKET NUMBER: AR20230005512

APPLICANT REQUESTS: retirement point credit for the retirement year ending (RYE) 23 July 2022.

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

- DD Form 149 (Application for Correction of Military Record)
- Three DA Forms 1380 (Record of Individual Performance of Reserve Duty Training), 21 January 2022
- DA Form 5016 (Chronological Statement of Retirement Points), 31 August 2022
- Transmittal Letter History, Fiscal Year 2021, 27 July 2022
- Transmittal Letter History, Fiscal Year 2022, 27 July 2022

FACTS:

1. The applicant states he attended battle assembly with the 401st Medical Logistics Unit after receiving a service-connected Department of Veterans Affairs (VA) disability rating. He sought guidance from his company leadership and administrative team. He followed their advice and signed in on the sign-in rosters as "N" to receive points only. He submitted several DA Forms 1380 for points only, yet they were never reflected on his DA Form 5016. He has tried four different methods to get his record updated through his chain of command and he keeps getting block by the U.S. Army Human Resources Command.

2. The applicant provides:

a. DA Form 1380, dated 21 January 2022, authenticated by an officer having knowledge of duties performed, reflective of the following:

30 January 2021	4 hours	N1
27 March 2021	4 hours	N1
30 March 2021	4 hours	N1
30 April 2021	4 hours	N1
30 June 2021	4 hours	N1
20 August 2021	8 hours	N1

21 August 2021	8 hours	N1
22 August 2021	8 hours	N1
30 July 2021	4 hours	N1
17 September 2021	8 hours	N1

b. DA Form 1380, dated 21 January 2022, authenticated by an officer having knowledge of duties performed, reflective of the following:

3 March 2021	4 hours	N1
31 March 21	4 hours	N1
20 May 2021	4 hours	N1
7 July 2021	4 hours	N1
18 August 2021	4 hours	N1
13 September 2021	4 hours	N1

c. DA Form 1380, dated 21 January 2022, authenticated by an officer having knowledge of duties performed, reflective of the following:

16 October 2021	8 hours	N1
17 October 2021	8 hours	N1
4 December 2021	8 hours	N1
5 December 2021	8 hours	N1
8 January 2022	8 hours	N1
9 January 2022	8 hours	N1

d. DA Form 5016, dated 31 August 2022, reflective, in pertinent part:

- RYE 23 July 2022: 26 inactive duty points | 15 membership points | 41 total points creditable
- Total Inactive Duty Points: 850
- Total Membership Points: 300
- Total Active Duty Points: 990
- Total Qualifying Years for Retirement: 19 years
- Total Creditable Points: 2190

e. Transmittal Letter History, Fiscal Year 2021, prepared 27 July 2022, reflective of the unit pay technician's transaction log pertaining to the applicant from 8 October 2020 to 19 September 2021.

f. Transmittal Letter History, Fiscal Year 2022, prepared 27 July 2022, reflective of the unit pay technician's transaction log pertaining to the applicant from 16 October 2021 to 10 July 2022.

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

- a. The applicant enlisted in the U.S. Army Reserve (USAR) on 24 July 2002.
- b. He entered active duty on 10 January 2005 and served in Iraq from 3 March 2005 to 21 February 2006. He was honorably released from active duty on 4 March 2006.
- c. He continues service in the USAR.

4. On 31 October 2023, in the processing of this case, an advisory opinion was received from the Chief, Soldier Programs Branch, U.S. Army Reserve Command (USARC) recommending partial administrative relief. USARC reviewed the applicant's documents and determined he should be awarded 12 points in accordance with Army Regulation 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). USARC advised the applicant in their advisory to correctly fill out the remaining DA Form 1380. N1 is the code for 4 hours, while N2 is for 8 hours.

5. On 3 November 2023, the applicant was provided with a copy of the advisory opinion and given an opportunity to respond. He has not responded.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The applicant contends he followed advice and signed in on the sign-in rosters as "N" to receive retirement points only. He submitted several DA Forms 1380 for points only, yet they were never reflected on his DA Form 5016. The Board reviewed the applicant's submission and agreed with the USARC advisory official's determination that the applicant should be awarded 12 retirement points in accordance with AR 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). Several of the applicant's DA Forms 1380 were improperly completed.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by awarding the applicant 12 qualifying retirement points, based on the properly completed and submitted DA Form 1380 (Codes N-1), for retirement points only, and provided all other criteria is met.
2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to any relief in excess of that described above.

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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 Accounting Records) contains Army policy for U.S. Army Reserve (USAR) training and retirement point credit. It also prescribes guidance for USAR unit level strength accounting. In pertinent part:

a. Paragraph 1-7 (Service requirement for a satisfactory year of service for non-regular retirement) states a qualifying year of service for non-regular retired pay is a full year during which a Reserve Component 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.

b. Paragraph 2-1 (Criteria for crediting retirement points) states IDT will be either four (4) hours in length for one (1) retirement point or eight (8) hours in length for two (2) retirement points.

c. Paragraph 3-1 states the Army Training Requirements and Resources System training transcript, DD Form 214 (Certificate of Release or Discharge from Active Duty), DD Form 215 (Correction to DD Form 214, Certificate of Release or Discharge from Active Duty), DD Form 220 (Active Duty Report), master military pay account, DFAS Form 702 (Defense Finance and Accounting Service Military Leave and Earnings Statement), DA Form 1379 (U.S. Army Reserve Components Unit Record of Reserve Training), DA Form 1380 (Army Reserve Record of Individual Performance of Reserve Duty Training), DA Form 5016, and the Reserve retirement repository are used to maintain and record the award and entitlement of retirement points described in paragraphs 3-2 through 3-7. Units of assignment are responsible to ensure source documents are uploaded into iPERMS prior to submission of action to adjust a Soldier's retirement points. (See AR 600-8-104 for a sample list of appropriate documentation). This will ensure proper validation of retirement points throughout a Soldier's career.

d. Paragraph 3-3 (DA Form 1380) states the purpose of this form is to record IDT by:

(1) TPU Soldiers performing IDT assemblies when pay is authorized, and the Soldier is not present to sign the IDT attendance roster.

(2) TPU Soldiers attached to another USAR unit for 89 or fewer days. In such cases the unit of attachment will prepare DA Form 1380 and forward to unit of assignment for recording attendance.

(3) Non-unit Soldiers under the jurisdiction of HRC who are attached for retirement points only to USAR TPUs, Army National Guard units, or to another Service

or component for training per AR 140–10. 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. Note: Non-unit Soldiers attached for retirement point credit to IMA detachments are reported on DA Form 1379 for those units.

e. Paragraph 3-3b states a DA Form 1380 will be prepared for a unit Soldier who performs equivalent training or additional training with their unit subsequent to the scheduled Battle Assembly. TPU units will retain one copy of the DA Form 1380 to post the appropriate entry into Automated Drill Attendance Reporting Software (ADARS) for the months report and then place in the appropriate Army records information management system file. 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. DA Form 1380 will be scanned into the Soldiers integrated Personnel Electronic Records Management System by the unit of assignment per AR 600-8-104 (Army Military Human Resource Records Management).

//NOTHING FOLLOWS//