

IN THE CASE OF: [REDACTED]

BOARD DATE: 29 August 2024

DOCKET NUMBER: AR20230013983

APPLICANT REQUESTS: retirement points credit for duties performed during June 2005, April 2006, and September 2007 as a member of a troop program unit of the U.S. Army Reserve.

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 1506, Statement of Service for Computation of Length of Service for Pay Purposes, 16 June 2016
- DD Form 214, Certificate of Release or Discharge from Active Duty, 22 November 2002
- DA Form 5016, Chronological Statement of Retirement Points, 28 August 2023
- DA Form 1380, Record of Individual Performance of Reserve Duty Training, 18 June 2005, 13 April 2006, and 27 September 2007.

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.
2. The applicant states during her reserve time, there was a consecutive period where she did not have consistent administrative support. She recently learned that some of her retirement points were not updated from 2005-2007. She has attached the relevant DA Forms 1380 validating her completion of duty, and she is requesting points only to reflect her accurate time in service. She enlisted in the U.S. Army Reserve in 2002 and is still serving. In 2023, a review of her DA Form 1506 and DA Form 5016 showed that she was short time in service. She was never discharged from the military. She also learned that other Soldiers who served in that unit during that time had records issues as well as they did not have consistent administrative support during 2005-2007.

3. The applicant enlisted in the U.S. Army Reserve on 2 July 2002. She entered active duty for training from 23 July to 22 November 2002 (4 months) and completed training for award of military occupational specialty 91J, Medical Logistical Specialist.

a. She also served on active duty from 17 January 2003 to 20 September 2003, completing 8 months and 4 days of active service.

b. She again served on active duty from 30 September 2012 to 13 August 2014, completing 1 year, 10 months and 14 days of active service.

c. On 2 November 2018, she executed an indefinite reenlistment in the U.S. Army Reserve.

4. She provides 3 (three) DA Forms 1380 as follows:

a. DA Form 1380 dated 18 June 2005, reflective of performance of equivalent training from 7 June to 18 June 2005. The form was signed by her first sergeant. It has the wording "For Points Only" handwritten on top of the form

b. DA Form 1380 dated 13 April 2006, reflective of performance of equivalent training from 6 to 13 April 2006. The form was signed by her first sergeant and also has the wording "For Points Only" handwritten on top of the form

c. DA Form 1380 dated 27 September 2007, reflective of performance of equivalent training from 4 to 26 September 2007. The form was signed by her first sergeant, and also has the wording "For Points Only" handwritten on top of the form

5. The applicant's most recent DA Form 5016, Retirement Accounting Statement, dated 31 July 2024, shows the following snap-shot of her points for anniversary years 2002 through 2009. (50 retirement points is a qualifying year of service)

BEGIN DATE	END DATE	MIL PER CLASS	SERVICE TYPE	INACTIVE DUTY POINTS	EXT COURSE POINTS	MEMBER -SHIP POINTS	ACTIVE DUTY POINTS	QUALIFYING FOR RETIREMENT			POINTS EARNED	POINTS CREDIT- ABLE
								YRS	MOS	DAYS		
20020702	20030701	E	TPU	12	0	15	289	01	00	00	316	316
20030702	20040701	E	TPU	6	0	15	233	01	00	00	254	254
20040702	20050701	E	TPU	26	0	15	13	01	00	00	54	54
20050702	20060701	E	TPU	23	0	15	0	00	00	00	38	38
20060702	20070701	E	TPU	28	0	15	0	00	00	00	43	43
20070702	20080701	E	TPU	33	0	15	0	00	00	00	48	48
20080702	20090701	E	TPU	31	0	15	21	01	00	00	67	67
20090702	20100701	E	TPU	52	0	15	38	01	00	00	105	105

6. The U.S. Army Human Resources Command (AHRC) provided an advisory opinion on 22 July 2024 in the processing her case. An HRC official stated:

a. This memorandum is in response to an advisory request on behalf of the applicant. She requests accreditation of retirement points for duty performed in June 2005, April 2006, and September 2007.

b. AHRC reviewed her application. Army Regulation (AR) 140-185, paragraph 3-3, Training and Retirement Points Credits and Unit Level Strength Accounting Records requires that non-paid Records of Individual Performance of Reserve Duty Training (DA Form 1380) be forwarded to AHRC for award of retirement points no later than the end of each month. In eth applicant's case:

- There is no record of the enclosed DA Forms 1380 being received by AHRC
- The attached DA Forms 1380 provided by the applicant contain multiple errors that prevent processing
- According to regulation, AHRC cannot process forms submitted after the prescribed deadline
- The applicant may request correction of her military records through the ABCMR

7. The applicant was provided a copy of and responded to the advisory opinion as follows: "For the memo, I have decided to wait for the Board's response. I am uncertain whether I mentioned the unit's lack of consistent administrative support during that period or my voluntary involvement when tasks needed to be completed, without fully understanding the importance of checking your points then to avoid issues like this today. Additionally, I am agreeable to seeking correction rather than compensation, as I understand that the time for that has passed. Thank you."

8. By regulation (AR 140-185), the DA Form 1380 will be prepared for a unit Soldier who performs ET (equivalent training) or additional training with their unit subsequent to the scheduled BA (Battle Assembly). Troop Program Units (TPU) will retain one copy of the DA Form 1380 to post the appropriate entry into ADARS (Automated Drill Attendance Reporting Software) for the month's 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 AHRC for award of retirement points no later than the end of each duty month. The DA Form 1380 will be scanned into the Soldier's iPERMS by the unit of assignment.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documentation showing that the applicant received authorization for the military duties annotated on the DA Form 1380, the Board concluded there was sufficient evidence to award the appropriate retirement points for the military duties noted on the DA Form 1380s, dated 18 June 2005, 13 April 2006, and 27 September 2007.

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 Army records of the individual concerned be corrected by awarding the appropriate retirement points for the military duties annotated on the applicant's DA Form 1380s, dated 18 June 2005, 13 April 2006, and 27 September 2007.

3/6/2025

X

CHAIRPERSON

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.

REFERENCES:

1. Title 10, U.S. Code, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.

2. Army Regulation 140-185, Training and Retirement Points Credits and Unit Level Strength Accounting Records, sets responsibilities and procedures to establish and maintain retirement records prescribing the types of training and activities for which retirement points are authorized. Paragraph 3-3 covers the DA Form 1380:

a. The purpose of this form is to record IDT (Inactive Duty Training) by—

(1) Troop Program Unit (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 (U.S. Army Reserve) 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 AHRC who are attached for retirement points only to USAR TPUs, ARNG 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 (Individual Mobilization Augmentee) detachments are reported on DA Form 1379 for those units.

(4) Non-unit Soldiers performing other inactive duty training for retirement point credit as outlined in table 2–3.

b. The DA Form 1380 will be prepared for a unit Soldier who performs ET (equivalent training) or additional training with their unit subsequent to the scheduled BA (battle Assembly). TPU units will retain one copy of the DA Form 1380 to post the appropriate entry into ADARS (Automated Drill Attendance Reporting Software) for the month's 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 AHRC for award of retirement points no later than the end of each duty month. The DA Form 1380 will be scanned into the Soldier's iPERMS by the unit of assignment per AR 600–8–104.

//NOTHING FOLLOWS//