

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]  
[REDACTED]

BOARD DATE: 24 September 2024

DOCKET NUMBER: AR20230014944

APPLICANT REQUESTS:

- Correction of her records to show the submitted DA Forms 1380 (Record of Individual Performance of Reserve Duty Training), various dates, were accepted, and added to her record for the anniversary years –
  - 23 December 2018 to 22 December 2019
  - 23 December 2019 to 22 December 2020
  - 23 December 2020 to 22 December 2021
  - 23 December 2021 to 13 November 2022
- Personal appearance before the Board by video or telephone

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 5016 (Retirement Accounting Statement - Draft Only), 24 October 2023
- DA Forms 1380 (Record of Individual Performance of Reserve Duty Training), 30 May 2019, 31 March 2020, 10 April 2020, 22 May 2020, 10 July 2020, 7 August 2020, 9 November 2020, 9 April 2021, and 8 April 2022

FACTS:

1. The applicant states she submitted multiple DA Forms 1380 between 2019 to 2022. Prior DA Forms 1380 were submitted to the Human Resources (HR) section for points only since she was receiving Veterans Affairs disability retirement. She was coded for points only on the sign in-roster. She attempted to make appointments with her HR Noncommissioned Officer in Charge (NCOIC) to correct the issue. She was told the retirement points only were submitted and processed. After reviewing her anniversary date on DA Form 5016 (Retirement Accounting Statement), retirement for points only did not get processed. The DA Form 5016 shows 12 Multiple Unit Training Assemblies (MUTA) for the Inactive Duty Points column. She has been trying to rectify this issue with the last two Active Guard/Reserve HR NCOICs, and was told higher would step in.

She was trying to go through her chain of command countless times. That was two years ago, and she is trying to correct her years of service in order to submit a retirement packet this year.

2. A review of the applicant's military service records show:

a. Having had prior Army National Guard enlisted service, she enlisted in the U.S. Army Reserve (USAR) on 24 January 2009.

b. On 23 January 2020, the U.S. Army Human Resources Command notified the applicant that she was eligible for Retired Pay at Non-Regular Retirement (20-Year Letter).

c. Her record contains a DA Form 5016 dated 21 January 2024, which shows her total career retirement points earned as – 729 Inactive Duty Training (IDT), 54 Extension Course, 360 Membership, 3587 Active Duty Training (ADT), 23 years Qualifying for Retirement, 4605 Points Earned, and 4605 Points Creditable. In relevant part, the form also shows for the completed anniversary years listed below, she earned the following retirement points:

- 23 December 2018 to 22 December 2019 – 52 IDT, 15 Membership, 20 ADT, 1 year Qualifying for Retirement, 87 Points Earned, and 87 Points Creditable
- 23 December 2019 to 22 December 2020 – 12 IDT, 15 Membership, 19 ADT, 46 Points Earned, and 46 Points Creditable
- 23 December 2020 to 22 December 2021 – 27 IDT, 15 Membership, 14 ADT, 1 year Qualifying for Retirement, 56 Points Earned, and 56 Points Creditable
- 23 December 2021 to 13 November 2022 – 42 IDT, 13 Membership, 15 ADT, 10 months and 22 days Qualifying for Retirement, 70 Points Earned, and 70 Points Creditable

d. On 12 September 2024, the Department of the Army published Order Number 0009490961.00, reassigning the applicant to the Retired Reserve, effective 14 March 2025.

e. DA Form 5016 (Chronological Statement of Retirement Points) dated 18 September 2024, shows her total career retirement points earned as – 627 IDT, 54 Extension Course, 330 Membership, 3546 ADT, 21 years Qualifying for Retirement, and 4432 Total Points Creditable. In relevant part, the form also shows for the completed anniversary years listed below, she earned the following retirement points:

- 23 December 2018 to 22 December 2019 – 52 IDT, 15 Membership, 20 ADT, 1 year Qualifying for Retirement, and 87 Total Points Creditable

- 23 December 2019 to 22 December 2020 – 12 IDT, 15 Membership, 19 ADT, and 46 Total Points Creditable
- 23 December 2020 to 22 December 2021 – 27 IDT, 15 Membership, 14 ADT, 1 year Qualifying for Retirement, and 56 Total Points Creditable

3. The applicant provides DA Forms 1380 with various dates submitted for points only for the completed anniversary years from 23 December 2018 through 13 November 2022. The forms were signed by the Platoon Leader and show the applicant's dates, hours, retirement points, location of duties, nature of duties, training, or instruction, as follows:

a. 6, 7, 8, 20, 28, 29 and 30 May 2019 – for 4 hours each day, N1 (nonpaid), Unit, Assisted with Supply Sergeant duties such as: organizing cages for upcoming battle assemblies, organize incoming organizational clothing and individual equipment, organized clothing record files, organized cold storage, Assisted with Training and Operations such as: updating certifications on Digital Training Management System (DTMS), height and weight, Army Physical Fitness Tests (APFT) on DTMS; assisted with HR functions, and conducted and completed platoon tasks; Totaling: 7 points.

b. 27, 28, 30 and 31 March 2020 – for 4 hours each day, N1 (nonpaid), Unit, Sexual Harassment/Assault Response (SHARP) prep, phone interviews with U.S. Army Reserve Command (USARC) Inspector General (IG) to gather instructions for upcoming annual physical SHARP instruction, updated SHARP board, and performed various duties in preparation for SHARP inspection; Totaling: 4 points.

c. 1, 2 and 10 April 2020 – for 4 hours each day, N1 (nonpaid), Unit, Annual Physical SHARP inspection by USARC IG; Totaling: 3 points.

d. 18 to 22 May 2020 – for 4 hours each day, N1 (nonpaid), Unit, Helped the unit with Annual Training Preparation; Totaling: 5 points.

e. 9 and 10 July 2020 – for 8 hours each day, N2 (nonpaid), Unit, Helped the motor sergeant with driving from ECS, preventive maintenance checks and services of vehicles, staging vehicles in the motor pool, helped supply sergeant with administrative tasks by organizing filing cabinet and organized the medic cage: Totaling: 4 points.

f. 5 to 7 August 2020 – for 8 hours each day, N2 (nonpaid), Unit, Helped the unit with Annual Training (AT) recovery: Complete inventory of items brought to field, clean out and organize connex, cleaned and PMCS vehicles, organize cages after AT; Totaling: 6 points.

g. 6 to 10 November 2020 – for 8 hours each day, N2 (nonpaid), Unit, Conducted LHI Event with the unit, completed full medical services, assisted supply section with SII

and Cyclic reports due by end of COB, updated DTMS with height/weight info, weapons qualification, APFT, and training, assisted platoon sergeant with updating alpha roster, platoon sergeant binder, updated additional duty, helped full time staff post Battle Assembly duties, GTC/security clearance packet updates; Totaling: 10 points.

h. 1, 2, 5, 6, 7, 8 and 9 April 2021 – for 4 hours each day, N1 (nonpaid), Unit, helped supply NCO with clearing out cold storage and relocating equipment to 822 cage, helped with physical security binder for annual physical security inspection, helped HR sergeant with administrative packets and U-letters, updated platoon binder, alpha roster additional duty binder, and schools tracker; Totaling: 7 points.

i. 7 and 8 April 2022 – for 4 hours each day, N1 (nonpaid), Unit, conducting additional GCSS Army online courses for Supply Section, assisted supply section with labeling TA-50 for CIF turn-in, reorganizing section cages; Totaling: 2 points

j. The applicant's total submitted points equals 48.

4. On 2 May 2024, the Headquarters, U.S. Army Reserve Command (USARC), STL, Military Services Office, provided an advisory opinion for this case and recommended granting full administrative relief. The advisory official stated, USARC reviewed the applicant's documents and determined she should be awarded 38 points based off Army Regulation 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). The applicant submitted DA Forms 1380 for points for duties performed outside of the scheduled Battle Assembly but were never properly processed by the unit. 'Full administrative relief granted.'

5. On 10 May 2024, the applicant was provided with a copy of the USARC advisory opinion to allow for comments or rebuttal. She did not respond.

#### BOARD DISCUSSION:

1. The Board determined the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

2. 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 contends she submitted her DA Forms 1380 to her unit, but they were never processed. The Board reviewed and agreed with the USARC G1 advisory official's determination that she should be awarded 38 points based off Army Regulation 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). The Board accepted the argument that the applicant submitted DA Forms 1380 for

points for duties performed outside of the scheduled Battle Assembly but were never properly processed by the unit, which resulted in an injustice. Therefore, 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 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 38 qualifying retirement points, based on submitted DA Forms 1380, for the periods below, for points only, and provided all other criteria is met.

- 23 December 2018 to 22 December 2019
- 23 December 2019 to 22 December 2020
- 23 December 2020 to 22 December 2021
- 23 December 2021 to 13 November 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.



REFERENCES:

1. Army Regulation (AR) 15-185 (Army Board for Correction of Military Records (ABCMR)) states, the ABCMR begins its consideration of each case with the presumption of administrative regularity. It will decide cases based on the evidence of record and it is not an investigative body. The applicant has the burden of proving an error or injustice by a preponderance of the evidence. Paragraph 2-11 states that applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

2. AR 140-1 (Mission, Organization, and Training) provides policy guidance on the mission, organization, and training of the U.S. Army Reserve (USAR). Paragraph 3-26 (Training of individual Soldiers in a non-pay status) states, Soldiers in an active status may take part in individual inactive duty training (IDT) in a non-pay training status when authorized by the appropriate commander. In pertinent part, individual training opportunities with retirement point credit are shown below:

- attachment to appropriate Reserve Component Troop Program Units (TPU)
- attachment to Active Army units
- attachment to reinforcement training units as appropriate
- attachment to Reserve Component Training Institutions as students or as augmentation staff or faculty
- attendance at Army service or Army area school training
- participation in approved training projects or using administrative skills in support of TPU and USAR activities
- enrollment in appropriate extension courses
- attendance at authorized conventions, professional conferences, or appropriate trade association meetings related to the individual's mobilization specialty
- conducting or reviewing medical examinations, and related medical duties
- recruiting duties as described in AR 140-185

3. AR 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records) contains Army policy for U.S. Army Reserve training and retirement point credit. It also prescribes guidance for USAR unit level strength accounting.

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 3-3 (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 Individual Mobilization Augmentee detachments are reported on DA Form 1379 for those units.

d. Paragraph 3-3b states, 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//