

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 29 January 2025

DOCKET NUMBER: AR20240005273

APPLICANT REQUESTS: correction of his DA Form 5016 (Retirement Accounting Statement) to reflect he was awarded 29 additional retirement points for training for Retirement Year Ending (RYE) 13 April 2024.

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

- DD Form 149 (Application for Correction of Military Record)
- 2 DA Forms 1380 (Record of Individual Performance of Reserve Duty Training)
- DA Form 5016

FACTS:

1. The applicant states prior to his transfer to his current unit, they did not process two DA Forms 1380. Since they were not processed, he has fallen short for his retirement year window and did not receive credit for his last year.

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

- a. He enlisted in the U.S. Army Reserve (USAR) on 14 April 2007.
- b. He enlisted in the Regular Army on 10 July 2008 and remained on active duty until 21 November 2020.
- c. Orders Number 161-0163 issued by the U.S. Army Installation Management Command on 9 June 2020 released him from the Regular Army, effective 21 November 2020, and reassigned him to Fort Belvoir Transition Center.
- d. Orders Number 184-0156 issued by the U.S. Army Installation Management Command on 2 July 2020 amended Orders Number 161-0163 to read "F. You are further assigned to 0001 Logistics Civil Augmentation Program (LOGCAP) Support Battalion, Fort Belvoir, Virginia," vice "F. Not applicable."

e. His DA Form 5016 dated 8 October 2024 shows for RYE 13 April 2024 he earned 24 Inactive Duty Training (IDT) points and 15 membership points, totaling 39 creditable points.

3. The applicant provides two DA Forms 1380 that show the applicant completed training on the following dates:

- 3 July 2023; 8 hours; 2 retirement points
- 7 July 2023; 8 hours; 2 retirement points
- 11 July 2023; 8 hours; 2 retirement points
- 14 July 2023; 8 hours; 2 retirement points
- 17 – 20 July 2023; 32 hours; 8 retirement points
- 24 – 25 July 2023; 16 hours; 4 retirement points
- 27 July 2023; 8 hours; 2 retirement points
- 31 July 2023; 8 hours; 2 retirement points
- 15 – 17 September 2023, 20 hours; 5 retirement points

4. On 16 December 2024, Headquarters, USAR Command (USARC), Retirement Services Officer, provided an advisory opinion pertaining to retirement points credit. USARC reviewed the applicant's documents and determined he should be awarded 29 retirement points in accordance with Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). The applicant performed the duty but failed to submit in a timely manner. A favorable opinion by the Army Review Boards Agency (ARBA) will allow the Readiness Division to update his record.

5. On 18 December 2024, the applicant was provided with a copy of the advisory opinion for comment or rebuttal.

6. He responded via email on 1 January 2025 and stated:

a. His most recent DA Form 1380 with the 818th Support Maintenance Company (SMC) was submitted for signature on 18 August 2023 and processing on 28 August 2023.

b. During the time he was with the 818th SMC, they went through a transition of Army Reserve Administrators (ARA). At the time of his last DA Form 1380 that he is trying to get added, the new ARA did not have access to the pay system along with his battalion at the time. The battalion was not covering down or providing a solution for their pay. In the unit they had the Reserve Personnel Action Center (RPAC) supervisor for the area, so she assisted the unit with pay and some other administrative actions. He was covering down while they did not have an ARA or RPAC support for some administrative actions. All DA Forms 1380 were submitted to the RPAC supervisor for

processing within 30 days of his duties. He did follow up with the RPAC supervisor via text messages and phone calls but did not get a response. He had a pending transfer in the system during this time and his transfer was complete before his last DA Forms 1380 were processed. His gaining unit informed him they could not process the request and he needed to submit a request to ARBA.

c. He understands that USARC stated he performed his duties but failed to submit in a timely manner. He can provide the emails showing when he submitted his DA Forms 1380 for signature and processing. He can also provide the contact information for his commander or first sergeant at the time to verify. The 818th's ARA that was in place when he was first assigned to the unit had a bad track record of not processing actions in a timely manner or just failing to process any actions. A few Soldiers that he had come across were missing retirements due to this issue.

7. The applicant's response to the ex-parte communication discusses adding an additional DA Form 1380 for consideration, but it was not provided.

BOARD DISCUSSION:

1. 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 and standard review based on law, policy and regulation. Upon review of the applicant's petition, available military records and the Headquarters, USAR Command (USARC), Retirement Services Officer advisory opinion, the Board concurred with the advising official recommendation for approval finding the applicant performed the duty and should be credited with the additional 29 retirement points.

2. The Board agreed, there is sufficient evidence to support correction of the applicant's DA Form 5016 to reflect he was awarded 29 additional retirement points for training for Retirement Year Ending (RYE) 13 April 2024. The Board noted, the applicant submitted two DA Forms 1380 documenting completion of qualifying training between July and September 2023, totaling 29 additional retirement points. Based on the verified documentation, regulatory guidance, and the advisory opinion, the Board found correction to the applicant's DA Form 5016 is warranted. As such, the Board granted relief.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
XXX	XXX	XXX	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 to show on the applicant's DA Form 5016 (Retirement Accounting Statement) he was awarded 29 additional retirement points for training for Retirement Year Ending (RYE) 13 April 2024.

X //SIGNED//

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.

REFERENCE

AR 140-185 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.

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

b. 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 the U.S. Army Human Resources Command 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.

(4) Non-unit Soldiers performing other inactive duty training for retirement point credit as outlined in Table 2-3 (Award of inactive duty training retirement points).

c. 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//