

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 February 2025

DOCKET NUMBER: AR20240005181

APPLICANT REQUESTS:

- retirement point credit for service during his active reserve status as a Troop Program Unit (TPU) member
- a personal appearance before the Board

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

- DD Form 149 (Application for Correction of Military Record) (online)
- Two DA Form 1380s (Record of Individual Performance of Reserve Duty Training)

FACTS:

1. The applicant states he was told by his unit administrator that he needed to submit a records correction with the Army Review Boards Agency (ARBA) to receive credit for service during his active reserve status as a TPU Member. He previously submitted DA 1380's to account for credit to receive for retirement points in 2023. During which the Army has transitioned to IPPS-A and the limitations to records Maintenance only spans 6 months. This is an issue for the Army Reserves and IPPS-A not being able to provide administrative records properly and in a timely manner. The U.S. Army Reserve (USAR) does not currently have a process to update Soldiers records in a timely manner or allow the ability for managing of Soldier's records.

2. The applicant provides two DA Forms 1380, which show the applicant submitted requests for retirement point credit for active-duty service performed for Points Only at Fort Belvoir, VA for the following periods:

- 1 August 2023, 8 hours, Noncommissioned Officer in Charge (NCOIC) Duties
- 20 August 2023, 8 hours, NCOIC duties
- 15 September 2023, 8 hours, NCOIC duties
- 30 September 2023, 8 hours, NCOIC duties

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

- a. He enlisted in the Regular Army on 17 August 2006.
 - b. Orders 277-0109, dated 4 October 2017, discharged the applicant from the Regular Army effective 8 March 2018. Orders 305-0102 dated 1 November 2017 amended Orders 277-0109 to show the applicant's assignment to 301st Military Intelligence Battalion in Phoenix, AZ the day following his date of discharge.
 - c. He was honorably discharged from active duty on 8 March 2018. His DD Form 214 (Certificate of Release or Discharge from Active Duty) shows his separation code KBK-completion of required active service with reentry code 1. He completed 11 years, 6 months, and 22 days of net active service.
 - d. DA Form 5016 (Retirement Accounting Statement), 26 August 2024, shows the applicant received 4651 points earned and creditable. It also shows the applicant has been credited with 17 years qualifying for retirement.
4. On 16 December 2024, the U.S. Army Reserve Command (USARC), Retirement Service Officer, provided an advisory opinion, which states, in effect, USARC reviewed the applicant's documents and determined he should be awarded 4 retirement points. The applicant's unit did not submit the necessary documentation in a timely manner, but duty was performed. A favorable opinion by ARBA will allow the Readiness Division to update the applicant's record. Full administrative relief granted.
 5. On 18 December 2024, the advisory opinion was forwarded to the applicant for acknowledgment and/or response. The applicant has not provided a response to date.
 6. By regulation (AR 15-185), an applicant is not entitled to a hearing before the ABCMR. Hearings may be authorized by a panel of the ABCMR or by the Director of the ABCMR.
 7. By regulation (AR 140-185), 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.

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 U.S. Army Reserve Command (USARC), Retirement Service advisory opinion, the

Board concurred with the recommendation for approval finding the applicant should be awarded 4 retirement points. The opine noted, the applicant's unit did not submit the necessary documentation in a timely manner, however, duty was performed.

2. The Board determined there is sufficient evidence to support the applicant's contentions for retirement point credit for service during his active reserve status as a Troop Program Unit (TPU) member. Based on the advising opine and evidence within the applicant's records, the Board granted relief.

3. The applicant's request for a personal appearance hearing was carefully considered. In this case, 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.

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 the applicant submitted his DA Form 1380's in a timely manner which totaled 4 retirement point for service performed.

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.

REFERENCES:

1. Army Regulation 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR begins its consideration of each case with the presumption of administrative regularity, which is that what the Army did was correct.

a. The ABCMR is not an investigative body and decides cases based on the evidence that is presented in the military records provided and the independent evidence submitted with the application. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

b. The ABCMR may, in its discretion, hold a hearing or request additional evidence or opinions. Additionally, it states in paragraph 2-11 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. Army Regulation 140-185 (Training and Retirement Point 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. It discusses the procedures for recording retirement point credits and training. It provides guidance for the use of completing DA Form 1380.

a. Chapter 2: Paragraph 2-4a states personnel on active duty, Active-Duty Training (ADT), Inactive Duty Training (IADT), involuntary ADT, or Annual Training (AT) are awarded one 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. A maximum of two retirement points may be credited for attendance at unit Battle Assemblies (BA) or IDT in any 1 calendar day.

b. Paragraph 3-3 states:

(1) The purpose of DA Form 1380 is to record Inactive Duty Training by:

(2) Troop Program Unit Soldiers performing Inactive Duty Training assemblies when pay is authorized, and the Soldier is not present to sign the Inactive Duty Training attendance roster.

(3) Troop Program Unit 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.

(4) Non-unit Soldiers under the jurisdiction of HRC who are attached for retirement points-only to USAR Troop Program Units, Army National Guard units, or to another Service or component for training. Only attached Soldiers are authorized to perform Inactive Duty Training with the exception of one annual physical health assessment each for medical and dental readiness when authorized by the command prior to the event.

(5) Non-unit Soldiers performing other inactive duty training for retirement point credit.

c. 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. Troop Program Unit units will retain one copy of the DA Form 1380 to post the appropriate entry into Automated Drill Attendance Reporting Software (ADARS) 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 HRC for award of retirement points no later than the end of each duty month. DA Form 1380 will be scanned into the Soldier's iPerms by the unit of assignment.

//NOTHING FOLLOWS//