

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 3 June 2025

DOCKET NUMBER: AR20240001320

APPLICANT REQUESTS: correction of her DA Form 5016 (Retirement Accounting Statement) to reflect additional retirement points in Retirement Year Ending (RYE):

- RYE 14 May 2022 – 74 non-paid retirement points
- RYE 14 May 2023 – 64 non-paid retirement points

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 1380 (Record of Individual Performance of Reserve Duty Training) dated 8 September 2021 digitally signed by N-A- as the officer who had knowledge of duty performed shows the applicant performed commander responsibilities and administrative work on:
 - 13 August 2021 – 8-hours of duty for two non-paid retirement points
 - 17 August 2021 – 8-hours of duty for two non-paid retirement points
 - 22 August 2021 – 8-hours of duty for two non-paid retirement points
- DA Form 1380 dated 1 December 2021 digitally signed by N-A- as the officer who had knowledge of duty performed shows the applicant performed commander administrative duties, mandatory on-line training and Operation Order review on:
 - 10 November 2021 – 8-hours of duty for two non-paid retirement points
 - 18 November 2021 – 8-hours of duty for two non-paid retirement points
 - 23 November 2021 – 8-hours of duty for two non-paid retirement points
 - 30 November 2021 – 8-hours of duty for two non-paid retirement points
- DA Form 1380 dated 5 January 2022 digitally signed by N-A- as the officer who had knowledge of duty performed shows the applicant performed commander administrative duties and mandatory on-line training on:
 - 2 December 2021 – 8-hours of duty for two non-paid retirement points
 - 6 December 2021 – 8-hours of duty for two non-paid retirement points

- 14 December 2021 – 8-hours of duty for two non-paid retirement points
- 23 December 2021 – 8-hours of duty for two non-paid retirement points
- 28 December 2021 – 8-hours of duty for two non-paid retirement points

- DA Form 1380 dated 31 January 2022 digitally signed by N-A- as the officer who had knowledge of duty performed shows the applicant performed various commander duties on:
 - 4 through 5 January 2022 – 8-hours of duty each day for four non-paid retirement points
 - 10 through 11 January 2022 – 8-hours of duty each day for four non-paid retirement points
 - 17 through 18 January 2022 – 8-hours of duty each day for four non-paid retirement points
 - 25 through 26 January 2022 – 8-hours of duty each day for four non-paid retirement points
 - 28 January 2022 – 8-hours of duty for two non-paid retirement points
 - 31 January 2022 – 8-hours of duty for two non-paid retirement points

- DA Form 1380 dated 2 March 2022 digitally signed by N-A- as the officer who had knowledge of duty performed shows the applicant performed various commander duties on:
 - 4 through 5 March 2022 – 8-hours of duty each day for four non-paid retirement points
 - 10 through 11 March 2022 – 8-hours of duty each day for four non-paid retirement points
 - 17 through 18 March 2022 – 8-hours of duty each day for four non-paid retirement points
 - 25 through 26 March 2022 – 8-hours of duty each day for four non-paid retirement points
 - 28 March 2022 – 8-hours of duty for two non-paid retirement points
 - 31 March 2022 – 8-hours of duty for two non-paid retirement points

The applicant is requesting non-paid retirement points during the periods that Soldier Management Services - WEB Portal (SMS WEB) shows she was paid active duty pay for her attendance at active duty for training during the periods of 14 through 18 March 2022 and 20 through 26 March 2022.

- DA Form 1380 dated 26 April 2022 digitally signed by N-A- as the officer who had knowledge of duty performed shows the applicant performed various commander duties on:

- 4 through 5 April 2022 – 8-hours of duty each day for four non-paid retirement points
- 19 through 20 April 2022 – 8-hours of duty each day for four non-paid retirement points
- 26 April 2022 – 8-hours of duty for two non-paid retirement points
- DA Form 1380 dated 24 June 2022 digitally signed by N-A- as the officer who had knowledge of duty performed shows the applicant performed various commander duties on:
 - 2 June 2022 – 8-hours of duty for two non-paid retirement points
 - 6 through 7 June 2022 – 8-hours of duty each day for four non-paid retirement points
 - 15 through 16 June 2022 – 8-hours of duty each day for four non-paid retirement points
 - 24 June 2022 – 8-hours of duty for two non-paid retirement points
- DA Form 1380 dated 24 June 2022 digitally signed by N-A- as the officer who had knowledge of duty performed shows the applicant performed various commander duties on:
 - 6 July 2022 – 8-hours of duty for two non-paid retirement points
 - 12 July 2022 – 8-hours of duty for two non-paid retirement points
 - 22 July 2022 – 8-hours of duty for two non-paid retirement points
 - 26 through 27 January 2022 – 8-hours of duty each day for four non-paid retirement points
- DA Form 1380 dated 29 August 2022 digitally signed by N-A- as the officer who had knowledge of duty performed shows the applicant performed various commander duties on:
 - 2 August 2022 – 8-hours of duty for two non-paid retirement points
 - 23 August 2022 – 8-hours of duty for two non-paid retirement points
- DA Form 1380 dated 27 September 2022 digitally signed by N-A- as the officer who had knowledge of duty performed shows the applicant performed various commander duties on:
 - 7 through 8 September 2022 – 8-hours of duty each day for four non-paid retirement points
 - 14 September 2022 – 8-hours of duty for two non-paid retirement points

- 21 through 22 September 2022 – 8-hours of duty each day for four non-paid retirement points
- DA Form 1380 dated 1 November 2022 digitally signed by N-A- as the officer who had knowledge of duty performed shows the applicant performed various commander duties on:
 - 4 through 5 October 2022 – 8-hours of duty each day for four non-paid retirement points
 - 13 through 14 October 2022 – 8-hours of duty each day for four non-paid retirement points
 - 19 October 2022 – 8-hours of duty for two non-paid retirement points
 - 27 through 28 October 2022 – 8-hours of duty each day for four non-paid retirement points
- E-mails regarding the process for requesting points only and requesting her DA Forms 1380 to be processed
- DA Form 1380 dated 28 November 2022 digitally signed by N-A- as the officer who had knowledge of duty performed shows the applicant performed various commander duties on:
 - 7 through 8 November 2022 – 8-hours of duty each day for four non-paid retirement points
 - 15 through 16 November 2022 – 8-hours of duty for each day for four non-paid retirement points
 - 21 through 23 November 2022 – 8-hours of duty each day for six non-paid retirement points
- Department of the Army Orders Number 3240468.02 dated 6 September 2023 shows she was assigned to 3rd Battalion Training Support, 361st Regiment as the commander, effective 26 August 2021
- Strategic Command Troop Program Unit Memorandum, Subject: Letter of Lateness for Lieutenant Colonel M-, B- (the applicant), dated 7 December 2023 stated:
 - she submitted multiple DA Forms 1380 that were submitted to her battalion Army Reserve Administrator (ARA) for processing, but the ARA failed to submit them for processing
 - As a result of the failure to process the DA Forms 1380, they were being resubmitted late to the 76th Operational Response Command

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:

- She is missing retirement points for points only
- She submitted the DA Forms 1380 to her ARA in a timely manner
- The ARA failed to submit them for processing
- She has attempted to correct this error for the last 2-years

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

- With prior Regular Army commissioned service, on 3 January 2013, she executed her oath of office and was appointed as a Reserve commissioned officer
- On 1 January 2013, she was assigned to the U.S. Army Reserve Control Group (Individual Mobilization Augmentee (IMA)) by Orders Number C-03-303881 dated 12 March 2013
- On 2 August 2021, she was assigned to the 3rd Battalion Combat Support and Combat Service Support, 361st Regiment by Orders Number C-07-107889 dated 27 July 2021
- DA Form 1380 dated 8 September 2021 digitally signed by N-A- as the officer who had knowledge of duty performed shows the applicant performed commander responsibilities and administrative work on:
 - 13 August 2021 – 8-hours of duty for two non-paid retirement points
 - 17 August 2021 – 8-hours of duty for two non-paid retirement points
 - 22 August 2021 – 8-hours of duty for two non-paid retirement points
- E-mail dated 28 December 2021 from the U.S. Army Human Resources Command (AHRC) which shows the applicant's DA Forms 1380 for the period of August through October 2021 were rejected due to the lack of the physical street address where the duty was performed
- E-mail dated 29 March 2022 from AHRC which shows the applicant's November 2021 DA Form 1380 was rejected due to the lack of the physical street address where the duty was performed and the signature authority memorandum
- On 1 September 2023, she was assigned to the USAR Strategic Command Troop Program Unit (TPU) by Orders Number 5656662 dated 10 August 2023

- DD Form 220 (Active Duty Report) shows she was ordered to active duty for training on 17 May 2023 for operational support Reserve component and served in Morocco, she was released from active duty on 20 June 2023
 - DA Form 5016 dated 13 June 2024 shows the applicant obtained the following points for duty in RYE:
 - 1 August 2021 – 20 Inactive Duty Training (IDT), 3 membership points, and zero Active Duty Training (ADT) points for a total of 23 creditable points
 - 14 May 2022 – 76 IDT points, 12 membership points, and 30 ADT points for a total of 118 creditable points
 - 13 November 2022 – 44 IDT points, 8 membership points, and 16 ADT points for a total of 68 creditable points
 - 14 May 2023 – 68 IDT points, 7 membership points, and 16 ADT points for a total of 91 creditable points
 - Applicant's RYEs are split due to her assignment from the IMA to the TPU and the transition from the legacy system to the IPPS-A for the Human Resources system of records
 - Soldier Management Services – WEB Portal Retirement Points Detail shows she was paid and received retirement points for attendance at active duty for training during the period of:
 - 14 through 18 March 2022
 - 20 through 28 March 2022
4. On 22 July 2024, in the processing of this case, Headquarters, U.S. Army Reserve Command, provided an advisory opinion regarding the applicant's request for the correction of her retirement points. The advisory official stated after a review of her service record and supporting documents, she should be awarded 138 retirement points. Her ARA did not process the points and she never noticed the error. A favorable decision by the Army Review Board Agency (ARBA) would allow the Readiness Division to correct the oversight for the applicant.
5. On 26 July 2024, the ARBA, Case Management Division, provided the applicant the advisory opinion for review and comment.
6. On 26 July 2024, the applicant responded concurring with the advisory opinion.

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, the findings and recommendation outlined in the USARC advisory opinion, and the concurrence of those findings and recommendation by the applicant, the Board concluded there was sufficient evidence to correct the applicant's DA Form 5016 (Retirement Accounting Statement) to reflect additional retirement points in Retirement Year Ending (RYE):

- RYE 14 May 2022 – 74 non-paid retirement points
- RYE 14 May 2023 – 64 non-paid retirement points

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

: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 Army records of the individual concerned be corrected by correcting the applicant's DA Form 5016 (Retirement Accounting Statement) to reflect additional retirement points in Retirement Year Ending (RYE):

- RYE 14 May 2022 – 74 non-paid retirement points
- RYE 14 May 2023 – 64 non-paid retirement points

//SIGNED//

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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 (AR) 140-1 (Mission, Organization, and Training), provides policy guidance on the mission, organization, and training of the U.S. Army Reserve (USAR). Paragraph 3-11 (Equivalent Training (ET)), ET is performed in lieu of scheduled training (either RST or, Unit Training Assembly (UTA) or MUTA). Pay or retirement point credit, or both is authorized. ET must be accomplished within 60-days after the training for which it is substituted, or by the end of the training year (fiscal year) if within 60-days of that date. An explanation of the circumstances will be included, with a statement that the ET, if granted, will not cause the Soldier to exceed the 48 paid unit assemblies for the fiscal year. a. ET is limited to Soldiers who have missed a UTA, MUTA, or RST due to unforeseen personal emergencies and desire to make it up. No more than 4 UTAs may be made up during a fiscal year. b. ET given will be the same type and quality as the training missed. It will be appropriate to, and enhance the ability of, Soldiers to carry out their assigned duties. For staff or support personnel, this may include duty which enhances unit training, management, or readiness. c. ET must be at

least as long as the training missed. d. ET will not be granted for assemblies missed due to ADT.

3. AR 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records) prescribes policy for U.S. Army Reserve (USAR) training and retirement point credit.

a. Paragraph 2-1 (Criteria for crediting retirement points), the limitations on the number of points which may be credited to a Soldier during a retirement year. Maximum-365 (366 during leap year) points. However, Annual or Terminal Statement of Retirement Points will report all points earned. Retirement points credited for activities other than active service or funeral honors may not exceed 130 retirement points for anniversary years closing on or after 30 October 2007. IDT will be either 4-hours in length for one retirement point or 8-hours in length for two retirement points, with the exception of the 2-hour IDT funeral honors duty.

b. Paragraph 2-2 (Criteria for earning retirement points) states retirement points may be earned by USAR Soldiers for active duty or duty in an active status for ADT, initial active duty for training (IADT), involuntary active duty for training (involuntary ADT), voluntary IDT, annual training (AT), IDT, membership points, and for other training of individual Soldier in a non-pay status.

c. Paragraph 2-4 (Criteria for awarding retirement points), personnel on AD, ADT, IADT, involuntary ADT, or AT are awarded 1 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. Table 2-1 provides criteria for award of retirement points for IDT performed in accordance with AR 140-1 (unless another reference is cited). Most types of IDT are covered by one of the following rules on required duration of IDT and calendar day limitations on points.

- Four-hour rule; Soldiers earn one point for each scheduled 4-hour period of IDT at Battle Assembly, RST, ET, or ATA
- Four/eight-hour rule; Soldiers earn one point for each 4-hour or greater period, award of a second point in the same day requires additional hours to bring the day's total to a minimum of 8-hours for a maximum of two points in 1 calendar day

d. Paragraph 3-3 (DA Form 1380), DA Form 1380 will be prepared for a unit Soldier who performs ET or additional training with their unit subsequent to the scheduled BA. TPU units will retain one copy of the DA Form 1380 to post the appropriate entry into ADARS for the month's report and then place in the appropriate Army records information management system file. Non-paid 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.

e. Table 3-1 provides that the code "N" will be entered for RST. The code "N" indicates the Soldier is entitled to retirement point credit only. The code "P" indicated the Soldier is entitled to retirement point credit and pay.

4. Department of Defense Instruction (DoDI) 1215.07 (Service Credit for Non-Regular Retirement) states inactive duty may be credited for each attendance at an inactive duty training period. A maximum of 2 retirement points for attendance at inactive duty training periods or equivalent training, in any 1 calendar day. The Service member's participation is without payment other than the pay to which the Service member is entitled as a Reserve Component member. Credit no more than one retirement point for fewer than 8-hours.

//NOTHING FOLLOWS//