

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 8 January 2025

DOCKET NUMBER: AR20240003279

APPLICANT REQUESTS: Correction of her DA Form 5016 (Retirement Accounting Statement) to reflect she was awarded retirement points for duty and training for Retirement Year Ending (RYE) beginning on 8 January 2023 and ending on 7 January 2024.

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

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

FACTS:

1. The applicant states she is requesting correction of her record to reflect points she earned for 11 – 12 February 2023, 14 – 16 April 2023, and 9 – 10 September 2023.

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

a. She enlisted in the U.S. Army Reserve (USAR) on 7 January 2016 for a term of 8 years.

b. On 27 June 2016, she was ordered to initial active duty for training. Her DD Form 214 (Certificate of Release or Discharge from Active Duty) shows she was honorably released from active duty on 13 January 2017. She completed 6 months and 17 days of net active service.

c. On 12 November 2021, she reenlisted in the USAR for a term of 3 years.

d. DA Form 5016 dated 6 February 2024 shows the applicant earned 13 inactive duty training points, 15 membership points, and 13 active duty training points totaling 41 points for the RYE 7 January 2024.

3. The applicant provides three DA Forms 1380 which show the applicant completed training/duty on the following dates:

- 11 – 12 February 2023; 16 hours; 4 retirement points
- 14 – 16 April 2023; 24 hours; 6 retirement points
- 9 – 10 September 2023; 16 hours; 4 retirement points

4. On 28 October 2024, Headquarters, U.S. Army Reserve Command, (USARC) STL, Military Services Office, provided an advisory opinion pertaining to retirement points credit. USARC reviewed the applicant's documents and determined she should be awarded 14 retirement points based off Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength and Accounting Records). The applicant performed the duty but failed to submit in a timely manner. A favorable opinion by the Board will allow the Readiness Division to update the Soldier's record. USARC recommends full administrative relief.

5. On 3 December 2024, the applicant was provided with a copy of the advisory opinion for comment or rebuttal. She did not provide a response.

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 request, available military records and Headquarters, U.S. Army Reserve Command (USARC), St. Louis Military Services advisory opinion, the Board concurred with the advising official recommendation for approval finding the applicant should be awarded 14 retirement points in accordance with Army Regulation (AR) 140-185, which governs Training and Retirement Point Credits. The advisory opinion confirmed that the applicant performed the duty as documented on three DA Forms 1380 but failed to submit the forms in a timely manner. The Board found this administrative oversight does not negate the validity of the duty performed.

2. The Board noted, the additional 14 points earned through verified duty on 11–12 February 14–16 April, and 9–10 September 2023 were not reflected due to late submission. The Board acknowledged, the applicant was provided an opportunity to respond to the advisory opinion but did not submit any comments or rebuttal. Based on the totality of evidence and the clear recommendation from USARC, the Board granted relief for correction of the applicant's record to reflect the award of 14 additional retirement points for the Retirement Year Ending (RYE) 7 January 2024."

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 should be award 14 additional retirement points for the Retirement Year Ending (RYE) 7 January 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 (Training and Retirement Point Credits and Unit Level Strength and Accounting Records) prescribes the types of training and activities for which retirement points are authorized and the procedures for recording retirement point credits and training for U.S. Army Reserve (USAR) Soldiers. 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. The Anniversary Year Ending (AYE) date is the annual date that a Soldier's retirement point record is closed out. It is utilized when referring to retirement points

accounting. The AYE is much like a Reserve Soldier's "Anniversary" date and is a primary date captured in the Retirement Points Accounting System (RPAS). The anniversary year periods listed on the DA Form 5016 are calculated from an anniversary date.

a. Paragraph 2–2, (Criteria for Earning Retirement Points) states retirement points may be earned by USAR Soldiers for active duty (AD), or while in an active Reserve status, for ADT, initial active duty for training (IADT), involuntary active duty for training (involuntary ADT), AT, and IDT. Types of IDT are:

- regularly scheduled unit training includes UTA, and MUTA
- Regularly Scheduled Training (RST) other than UTA/MUTA
- make up assemblies for missed UTA/MUTA due to AT
- Equivalent Training (ET) in lieu of scheduled UTA/MUTA or RST
- additional training assemblies (ATA)
- two-hour unit training assemblies
- training of individual Soldiers in non-pay status

b. Paragraph 2–4 (Criteria for Awarding Retirement Points) states, 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. Most types of IDT are covered by one of the following rules on required duration of IDT and calendar day limitations on points:

- one point for each scheduled 4-hour period of IDT at UTA, RST, ET, ATA, or make up assembly maximum of 2 points in 1 calendar day
- one point for each 2 hour or greater period
- two-hour aggregates of shorter periods may be used, except in the case of 2-hour unit training assembly's maximum of 1 point in 1 calendar day
- two-hour aggregates of shorter periods may be used except in the case of 2-hour unit training assemblies
- award of a second point in the same day requires additional hours to bring the day's total to a minimum of 8, maximum of 2 points in 1 calendar day
- points may not be awarded under more than one of the rules above during any single calendar day
- Soldiers may not perform more than 48 BAs per fiscal year. Soldiers must perform RST within 60 days of the missed BA

c. Paragraph 3-3 (DA Form 1380) provides that DA Form 1380 will be prepared for a unit Soldier who performs equivalent training or additional training with their unit after the scheduled Battle Assembly. TPU units will retain one copy of the DA Form 1380 to post the appropriate entry into ADARS for the months report. 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.

//NOTHING FOLLOWS//