

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 26 March 2025

DOCKET NUMBER: AR20240007296

APPLICANT REQUESTS: correction of Orders Number 0004062424.00 to reflect "37 years and 4 days" rather than "36 years, 7 months, and 26 days."

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 4 (Enlistment/Reenlist Document – Armed Forces of the United States) that shows he enlisted in the U.S. Army Reserve (USAR) on 19 March 1986
- DA Form 5016 (Draft Only – Retirement Accounting Statement), 7 June 2023, that shows he has 36 years of creditable service qualifying for retirement, in which he annotated "error" on the bottom of the form
- DD Form 214 (Certificate of Release or Discharge from Active Duty), ending 2 September 1987, that shows he entered active duty on 18 June 1987 and served 2 months and 15 days of net active service
- DD Form 214, ending 28 March 1996, that shows he entered active duty on 15 March 1996 for a period of 14 days; he was discharged to accept commission or warrant in the Army
- Orders Number 080-0510, issued by Headquarters, U.S. Army Aviation Center and Fort Rucker, 20 March 1996 that honorably discharged him on 28 March 1996 for the purpose of accepting appointment as a warrant officer
- DD Form 214, ending 22 February 1997 that shows he was honorably Released from Active Duty (REFRAD) training and completed 1 month and 4 days of net active service during this period
- DD Form 214, ending 12 August 2006 that shows he was honorably REFRAD and completed 1 year, 2 months, and 28 days of net active service during this period
- Orders Number 0004062424.00 issued by the Department of the Army, 23 February 2023 that transferred the applicant to the USAR Retired Reserve with an effective date of 23 March 2023 with 36 years, 7 months, and 26 days of total service
- DA Form 5016 (Retirement Accounting Statement), 6 September 2023 that shows the applicant has 37 years of service qualifying for retirement

FACTS:

1. The applicant states the total years of service on his retirement order is incorrect and should reflect 37 years and 4 days of total service.
2. A review of the applicant's service record shows:
  - He enlisted in the USAR on 19 March 1986
  - Orders Number 079-0503 issued by Headquarters, U.S. Army Aviation Center and Fort Rucker, dated 19 March 1996 discharged him for the purpose of accepting appointment as a warrant officer with an effective date of 28 March 1996
  - On 29 March 1996 he executed an oath of office as a Reserve Warrant Officer in the grade of WO1 and DA Form 5016 shows he had continuous service
  - Orders Number 0004062424.00 issued by the Department of the Army, dated 23 February 2023 transferred the applicant to the USAR Retired Reserve with an effective date of 23 March 2023 with 36 years, 7 months, and 26 days of total service
  - DA Form 5016 dated 27 February 2025 shows the applicant has 37 years of service qualifying for retirement
3. On 26 February 2025, Headquarters, U.S. Army Human Resources Command (AHRC), Chief, Personnel Services Division, provided an advisory opinion pertaining to the correction to the applicant's Retired Reserve Transfer order. AHRC reviewed the application. Previously, the Integrated Pay and Personnel System-Army (IPPS-A) included years of service on Reserve transfer orders. However, orders generated in IPPS-A for transfer to the Retired Reserve no longer include the years of service. The DA Form 5016 is the source document that validates years of service. It is important to note that the years of service indicated on the transfer to Retired Reserve order do not impact pay or benefits. The applicant's Retired Pay benefits will be based on the years of service documented on his DA Form 5016, which shows 37 years of service as of 23 March 2023.
4. On 3 March 2025, the applicant was provided with a copy of the advisory opinion for comment or rebuttal. He did not provide a response.

BOARD DISCUSSION:

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 record and U.S. Army Human Resources Command – Personnel Services Division advisory opinion, the Board concurred with the advising official noting orders generated in IPPS-A for transfer to the Retired Reserve no longer include the years of service. The DA Form 5016 is the source document that validates years of service. It is important to note that the years of service indicated on the transfer to Retired Reserve order do not impact pay or benefits. The applicant's Retired Pay benefits will be based on the years of service documented on his DA Form 5016, which shows 37 years of service. Therefore, the Board granted relief.

BOARD VOTE:

| <u>Mbr 1</u> | <u>Mbr 2</u> | <u>Mbr 3</u> |
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|-----|-----|-----|----------------------|
| 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 by amending Orders Number 0004062424.00 to reflect "37 years and 4 days" rather than "36 years, 7 months, and 26 days."

X //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, USC, section 1208 (Computation of Service) provides that a member of the armed forces who is not a member of a regular component shall be credited, for the purposes of this chapter, with the number of years of service that he would count if he were computing his years of service under section 12733 (Computation of Retired Pay: Computation of Years of Service).
2. Title 10, USC, section 12733 (Computation of Retired Pay: Computation of Years of Service) provides the person's years of service and any fraction of such a year are computed by dividing 360 into the sum of the following:
  - days of active service
  - the person's days of full-time service under sections 316, 502, 503, 504, and 505 of Title 32 while performing annual training duty or while attending a prescribed course of instruction at a school designated as a service school by law or by the Secretary concerned
  - one day for each point credited to the person
3. Title 10, USC, section 1405 (Years of Service) states for the purposes of the computation of the years of service of a member of the armed forces under a provision of this title providing for such computation to be made under this section, the years of service of the member are computed by adding:

- his years of active service
- the years of service, not included in clause (1), with which he was entitled to be credited on 31 May 1958, in computing his basic pay; and
- the years of service, not included in clause (1) or (2), with which he would be entitled to be credited under section 12733 of this title if he were entitled to retired pay under section 12731 of this title

//NOTHING FOLLOWS//