

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 20 March 2025

DOCKET NUMBER: AR20240008331

APPLICANT REQUESTS: correction of his DA Form 5016 (Retirement Accounting Statement) to reflect non-paid retirement points for the Retirement Year Ending (RYE) 28 March 2024 - 16 retirement points (training dates 5 – 7 May 2023, 10-11 June 2023, and 14-16 July 2023).

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):
 - DA Form 1380 dated 7 May 2023, endorsed by the battalion (BN) S1 Noncommissioned Officer in Charge (NCOIC) shows he completed training from 5-7 May 2023, for points only for 8 hours each day totaling 6 retirement points
 - DA Form 1380 dated 11 June 2023, endorsed by the BN S1 NCOIC shows he completed training from 10-11 June 2023, for points only for 8 hours each day totaling 4 retirement points
 - DA Form 1380 dated 16 July 2023, endorsed by the BN S1 NCOIC shows he completed training from 14-16 July 2023, for points only for 8 hours each day totaling 6 retirement points
- Integrated Personnel and Pay System - Army (IPPS-A) data sheet shows he submitted DA Forms 1380 through IPPS-A for correction but was directed to submit his request to the Army Review Agency Board (ARBA) because his request for points was more than 180 days from the date the duty performed

FACTS:

1. The applicant states:

- Correction of his records to show 16 retirement points for training completed 5-7 May 2023, 10-11 June 2023 and 14-16 July 2023
- He was unable to get his retirement points added through IPPS-A channels and was directed to submit a request to ARBA for correction of his record

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

- Having had prior enlisted service in the Regular Army, the applicant enlisted in the U.S. Army Reserve (USAR) on 10 June 2014 and continued service through extensions and reenlistments
- DA Form 5016 dated 27 April 2023, shows the applicant earned the following points creditable for RYE 28 March 2023 - 0 Inactive Duty Training (IDT) points, 6 membership points, and 0 Active Duty Training (ADT) points, totaling 6 creditable points
- DA Form 5016 dated 27 April 2024, shows the applicant earned the following points creditable for RYE 28 March 2024 – 34 IDT points, 15 membership points, and 23 ADT points, totaling 72 creditable points
- The applicant remains in a USAR TPU status

3. On 7 March 2025, in the processing of this case, Headquarters, U.S. Army Reserve Command (USARC), Retirement Services Officer, provided an advisory opinion stating the following:

a. USARC reviewed the applicant's documents and determined he should be awarded sixteen retirement points in accordance with Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records).

b. Full administrative relief granted.

4. On 12 March 2025, the applicant was provided with a copy of the advisory opinion for comment or rebuttal.

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 Headquarters, U.S. Army Reserve Command (USARC), Retirement Services Officer advisory opinion, the Board concurred with the advisory official finding the applicant provided substantiating evidence to show completed training dates. The Board agreed that there was sufficient documentation to warrant relief in this case by awarding the applicant retirement points for the periods of 5 – 7 May 2023, 10 – 11 June 2023, and 14 – 16 July 2023, for a total of 16 retirement points.

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 by awarding the applicant retirement points for the periods of 5 – 7 May 2023, 10 – 11 June 2023, and 14 – 16 July 2023, for a total of 16 retirement points.

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. 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 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records):

a. Paragraph 2-2 (Criteria for earning retirement points) states retirement points may be earned by U.S. Army Reserve Soldiers for active duty or duty in an active status for active duty for training (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 activities specified in this regulation.

- Four-hour rule; Soldiers earn one point for each scheduled 4-hour period of IDT at Battle Assembly, Rescheduled Training (RST), Equivalent Training, or Additional Training Assemblies
- 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

b. Paragraph 3-3 (DA Form 1380) states nonpaid DA Forms 1380 will not be entered into Automated Drill Attendance Reporting Software (ADARS) and will be forwarded to the U.S. Army Human Resources Command for award of retirement points no later than the end of each duty month.

c. Table 2-3 Rule Number 2 states "Attends BA, RST, in a nonpay status, award points under the 4-hour/8-hour rule." 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.

3. Department of Defense Instructions 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//