

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 22 April 2025

DOCKET NUMBER: AR20240008486

APPLICANT REQUESTS: four retirement points from Retirement Year Ending (RYE) 11 May 2019 be moved to RYE 11 May 2018 to obtain a qualifying year for retirement.

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 5016 (Chronological Statement of Retirement Points), 31 October 2017 shows the applicant transitioned from active duty to the U.S. Army Reserve (USAR) on 10 February 2014:
 - was in the Regular Army (RA) during in RYEs; 2 September 2004, 2005, 2006 and 2007 in the years she was in the Reserve Officers' Training Corps (ROTC)
 - earned 365 retirement points each year, except 2004 she earned 366 retirement points
- DA Form 5016 (Retirement Accounting Statement-Draft Only), 24 May 2023:
 - was in the RA during in RYEs; 2 September 2004, 2005, 2006 and 2007 in the years she was in ROTC
 - earned 365 retirement points each year, except 2004 she earned 366 retirement points
 - RYE 2 September 2018, she was in the USAR and earned 10 Inactive Duty Training (IDT) points, 15 membership points, and 27 Active Duty Training (ADT) points for a total of 52 creditable points
 - RYE 2 September 2019, she was in the USAR and earned 38 IDT points, 15 membership points, and 14 ADT points for a total of 67 creditable points
- DA Form 5016 (Retirement Accounting Statement), 2 October 2023:
 - was in the RA during in RYEs; 2 September 2004, 2005, 2006 and 2007 in the years she was in the ROTC
 - earned 365 retirement points each year, except 2004 she earned 366 retirement points

- RYE 2 September 2018, she was in the USAR and earned 10 IDT points, 15 membership points, and 27 ADT points for a total of 52 creditable points
- RYE 2 September 2019, she was in the USAR and earned 38 IDT points, 15 membership points, and 14 ADT points for a total of 67 creditable points
- DA Form 5016 (Retirement Accounting Statement), 8 December 2023:
 - RYE 3 September 2003 through 11 May 2007 she was in ROTC and earned zero total creditable points
 - RYE 12 May 2007 through 20 June 2007, she was in the Individual Ready Reserve (IRR) and earned zero IDT points, 2 membership points, zero ADT points for a total of 2 creditable points
 - RYE 11 May 2018, she was in the Individual Mobilization Augmentee (IMA) and she earned 18 IDT points, 15 membership points, and 13 ADT points for a total of 46 creditable points
 - RYE 11 May 2019, she was in the IMA and earned 33 IDT points, 15 membership points, and 14 ADT points for a total of 62 creditable points
- DA Form 5016 (Chronological Statement of Retirement Points), 8 December 2023:
 - was in the RA during in RYEs; 2 September 2004, 2005, 2006 and 2007 in the years she was in the ROTC
 - earned 365 retirement points each year, except 2004 she earned 366 retirement points
 - RYE 2 September 2018, she earned 10 IDT points, 15 membership points, and 27 ADT points for a total of 52 creditable points
 - RYE 2 September 2019, she was in the USAR and earned 38 IDT points, 15 membership points, and 14 ADT points for a total of 67 creditable points
- DA Form 5016 (Retirement Accounting Statement), 10 June 2024:
 - RYE 3 September 2003 through 11 May 2007 she was in ROTC and earned zero total creditable points
 - RYE 12 May 2007 through 20 June 2007, she was in the IRR and earned zero IDT points, 2 membership points, zero ADT points for a total of 2 creditable points
 - RYE 11 May 2018, she was in the IMA and earned 18 IDT points, 15 membership points, and 13 ADT points for a total of 46 creditable points
 - RYE 11 May 2019, she was in the IMA and earned 33 IDT points, 15 membership points, and 14 ADT points for a total of 62 creditable points

FACTS:

1. The applicant states:

- The request should be granted due to an error in the U. S. Army Human Resources (AHRC) records
- She graduated from ROTC in 2007
- She served in the RA during the period of 12 May 2007 through 10 February 2014
- She served in the IMA during the period of 11 February 2014 to present
- Her RYE had been 2 September when she entered the IMA
- She was projected to receive her 20-year letter on 2 September 2023
- After she contacted AHRC about her 20-year letter, her RYE was changed to 11 May and was projected to receive her 20-year letter in 2028
- The change in her RYE caused RYE 2017 through 2018 not to be a qualifying year for retirement
- She was not notified of the change to her DA Form 5016
- When she contacted AHRC to find out why her records were changed, she was advised her records were changed because her ROTC service was reflected erroneously as active duty service

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

- On 3 September 2003, she enlisted in the USAR as a cadet and was assigned to the USAR Control Group (ROTC)
- Office Record Brief shows:
 - The source of her appointment was from ROTC
 - Her Basic Active Service Date was 21 June 2007
 - Her basic date of appointment was 12 May 2007
- On 12 May 2007, she was discharged from the USAR Control Group (ROTC) by Orders Number KSD-DS 114-3-1 she subsequently executed her oath of office and was appointed as a Reserve commissioned officer
- On 21 June 2007, she was ordered to active duty upon acceptance of her appointment in the USAR by Orders Number 157-7-A-2285
- On 10 February 2014, she was honorably released from active duty and assigned to the USAR Control Group (Reinforcement)
- On 10 February 2014, AHRC notified her she was appointed as a Reserve commissioned officer of the Army
- On 14 April 2014, she was assigned to the USAR Control Group (IMA) program by Orders Number C-04-404994

3. On 30 March 2025, in the processing of his case, AHRC, provided an advisory opinion requesting the recalculation of her retirement points. The advisory official stated that no relief was warranted. Her DA Form 5016 was corrected to remove retirement points which were reflected as RA when she was a ROTC cadet. The retirement points were not authorized for service as a ROTC cadet. In the case of an officer with service in a Senior ROTC program the date for the start of a service member's initial anniversary year would be established by the date the service member entered into active service or active status minus any service as a cadet. The applicant's retirement points were correctly adjusted to the anniversary year of 12 May through 11 May annually based on her DA Form 71.

4. On 8 April 2025, the Army Review Boards Agency, Case Management Division, provided the advisory opinion for review and comment.

5. On 10 April 2025, the applicant responded to the advisory opinion stating she received her DA Form 5016 in October 2023 and contacted AHRC regarding the error on her document which stated she had 20-years of service including her ROTC service. In December, she checked her retirement points and noticed her Anniversary Year Ending (AYE) had changed and the points earned for ROTC service were removed but she was never notified of these changes. In December 2023, she submitted a personnel action request regarding the changes that impacted her satisfactory retirement years. She did not receive a response from AHRC until June 2024.

a. She concurs with the decision to remove the ROTC retirement points as she is not seeking recalculation of retirement points for this period. While the Department of Defense Instruction 1215.07 (Service Credit for Non-Regular Retirement) establishes the criteria for the date, it also indicates that the AYE will not be adjusted unless the Soldier experiences a break in service or other qualifying events.

b. She believes relief is warranted for the year of 2017 through 2018 as she was operating under the AYE of September to September, which was established by AHRC when she transitioned from active duty to the IMA in 2014. The AYE adjustment from September to May resulted in an unqualifying year for 2017 through 2018 and altered her eligibility for retirement from May 2027 to May 2028. Most years, she did not plan training in the summer, therefore, other years were not affected by the change, but the year in question she attended Intermediate Level Education. Had this error not occurred, she would have been able to plan her training schedule to maintain a qualifying year. Therefore, she requests four retirement points be moved from either side of that year to reflect a qualifying year. She has operated her schedule to have qualifying years of service and should not be penalized by AHRC's mistake.

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 review based on law, policy, and regulation. The Board reviewed and determined the evidence supports the applicant shows a history of continuous service. Therefore, the Board granted relief by moving four retirement points from Retirement Year Ending (RYE) 2019 to 2018.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

█	█	█	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined that the evidence presented was sufficient to warrant a recommendation for relief. As a result, the Board recommends that the Department of the Army records of the individual concerned be corrected by moving four retirement points from RYE 11 May 2019 to RYE 11 May 2018 to obtain a qualifying year for retirement.

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:

DODI 1215.07 (Service Credit for Non-Regular Retirement), establishes policy, assigns responsibilities, prescribes procedures, and establishes requirements for crediting active and reserve service for non-regular retirement.

a. Paragraph 3.1. (Criteria for Establishing the Service Requirement for a Satisfactory Year of Service for Non-Regular Retirement), qualifying Years of Satisfactory Service. Pursuant to Title 10 United States Code (USC), chapter 1223, a qualifying year of creditable service toward a non-regular retirement is a full year during which a member of an Active Component (AC) or Reserve Component (RC) is credited with at least 50 retirement points. Accumulating 20 such years, except as otherwise provided by law, is one requirement necessary to qualify for non-regular retired pay. (Establishing an Anniversary Year), (1) Base the full year periods used to determine a creditable year of qualifying service toward a non-regular retirement on anniversary dates as set out in this issuance. (2) Except as noted in paragraph 3.1.d., calculate anniversary year periods from an anniversary date. The date the service member entered into active service or active status in an RC establishes the anniversary year. (Adjusting Anniversary Years), (1) The start date month and day for each successive anniversary year will not change unless the service member has a break in service.

b. A service member who transitions directly (next day) from the AC to the RC is not considered to have had a break in service; accordingly, that service member's anniversary date will not change. (2) A service member who returns to an active status in the RC after a break in service will have a revised anniversary year. The anniversary year start date will change to the return or reentry date. d. (Exceptions to Calculating Anniversary Years), (1) In the case of an officer with service as a cadet or midshipman at a Service academy in accordance with Title 10 USC, chapters 753, 853, or 953, or in a Senior Reserve Officers' Training Corps program in accordance with Title 10 USC, sections 2104 and 2107, the date for the start of a service member's initial anniversary year will be established by the date the service member entered into active service or active status minus any service as a cadet or midshipman. (2) If an enlisted member of a military service served as a cadet or midshipman at a service academy but did not receive or does not hold a commission as an officer, the service as a cadet or midshipman at a service academy must be included as active duty. e. (Credit for Partial Years of Service), (1) credit a service member who has a break in service that occurs during an anniversary year with a partial creditable year of qualifying service toward a non-regular retirement. (2) A service member with a break in service must meet the minimum retirement point requirements set out in this issuance to earn a partial qualifying year. (3) Combine and credit partial qualifying years towards total qualifying service. (4) Credit membership retirement points for any partial year. (5) Retirement points credited for a partial year may not exceed the retirement point credit limits.

//NOTHING FOLLOWS//