

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 September 2025

DOCKET NUMBER: AR20240010357

APPLICANT REQUESTS: in effect, correction of his DA Form 5016 (Retirement Accounting Statement) to show three additional retirement points awarded for anniversary year 8 November 2015 through 7 November 2016.

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

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

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, in effect:

- He is an active member of the U.S. Army Reserve (USAR) and, in November 2016, he represented his Troop Program Unit (TPU) in a 4-day planning conference; subsequently, he completed two DA Forms 1380, and he should have been granted a total of seven points; he only received four
- For anniversary year 20151108 through 20161107, his DA Form 5016 currently shows 48 of the 50 points needed to have a qualifying year for retirement; the additional three points will ensure he has over 50 points

3. The applicant provides two DA Forms 1380; both of which show the applicant's attendance at a planning conference between 1 and 4 November 2016:

- On the form dated 5 November 2016, the applicant received credit for 28 hours of Re-Scheduled Training (RST)

- (According to Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records), 4 hours equals one retirement point and 8 hours is two points)
 - (Based on the foregoing, three 8-hour periods would result in the award of six points and 4 hours would equate to one point)
 - The second document, dated 11 September 2022, reflects the same hours of training performed and, citing Rule 10 of table 2-3 (Award of Inactive Duty Training Retirement Points), AR 140-185, indicates the applicant should receive "Points Only" credit; (rule 10, table 2-3, allows additional "Points Only" training credit for staff or administrative duties completed in support a TPU)
4. A review of the applicant's service record shows the following:
- On 18 May 2001, after graduating from a university and completing Reserve Officers' Training Corps requirements, the applicant executed his oath of office as a Regular Army commissioned officer
 - On 1 June 2001, he entered active duty to fulfill a term of obligated service; on 9 July 2006, the Army honorably released him from active duty and transferred him to the USAR
 - On 27 August 2008, U.S. Army Human Resources Command (HRC) orders transferred the applicant from the USAR Control Group (Reinforcement) to a TPU; effective 31 December 2014, orders reassigned the applicant to his current TPU
 - Effective 26 September 2016, orders promoted him to lieutenant colonel (LTC)/O-5
 - The applicant's online service record includes a DA Form 5016, which shows that, for anniversary year 20151108 through 20161107, he earned 48 points
5. On 10 April 2025, the U.S Army Reserve Command (USARC) provided an advisory opinion and, after reviewing the applicant's documents, recommended the Board grant full administrative relief. USARC noted, however, that the applicant did not identify the specific days he wished the Board to correct.
6. On 13 May 2025, the Army Review Boards Agency gave the applicant a copy of USARC's advisory opinion for his review and the opportunity to submit a rebuttal; to date, the applicant did not respond.

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 concurred with the USARC advising official and determined the evidence supports the applicant submitted his DA Form 1380 for the RYE 7 November 2016 totaling 3 additional 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 three (3) qualifying retirement points (2-3 November 2016) for the retirement year ending 7 November 2016, provided all other criteria is met.

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 (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records), in effect at the time, provided policies and procedures for awarding retirement points toward a non-regular retirement.

a. Paragraph 2-2 (Criteria for Earning Retirement Points). Retirement points could be earned by U.S. Army Reserve (USAR) 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 (inactive duty training); and annual training (AT). The types of IDT authorized included re-scheduled training (RST).

b. Paragraph 2-4 (Criteria for Awarding Retirement Points) stated table 2-3 (Award of Inactive Duty Training Retirement Points) provided criteria for award of retirement points for IDT (inactive duty training) performed. According to the "Four/Eight-Hour" rule, Soldiers could earn one point for each 4 hour or greater period. Award of a second point in the same day required additional hours to bring the day's total to a minimum of 8 hours. The maximum was two points in 1 calendar day.

c. Table 2-3, Rule Number 10 stated the USAR Soldier could perform staff and administrative duties as additional training for points only, in support of Troop Program Unit (TPU) activities. The Soldier had to be assigned and could neither be receiving administrative function pay as a commander nor performing duties as a Federal government employee. Points under the 4-hour/8-hour rule applied.

c. Paragraph 3-3 (DA Form 1380). The form's purpose was to record IDT performed by Troop Program Unit Soldiers participating in IDT assemblies when pay was authorized and the Soldier was not present to sign the IDT attendance Roster.

//NOTHING FOLLOWS//