

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 12 August 2025

DOCKET NUMBER: AR20240010479

APPLICANT REQUESTS: correction of his DA Form 5016 (Retirement Accounting Statement) to reflect prior years of service in the U.S. Navy (USN), U.S. Army (USA), and the U.S. Army Reserve (USAR). A personal appearance before the Board via video or telephonically.

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

- DD Form 149 (Application for Correction of Military Record)
- Self-authored Statement
- DD Form 214 (Certificate of Release or Discharge from Active Duty) for service in the USN ending 23 May 2007
- DD Form 4 (Enlistment/Reenlistment Document Armed Forces of the United States) for enlistment dated 19 September 2007
- DD Form 4 for enlistment dated 6 November 2011
- DA Form 3540-R (Certificate and Acknowledgement of USAR Service Requirements and Methods of Fulfillment) dated 6 November 2011
- DA Form 5435-R (Statement of Understanding – The Selected Reserve Montgomery GI Bill) dated 6 November 2011 notified the applicant of his eligibility for educational benefits
- DD Form 214 for service in the Regular Army ending 22 January 2012
- DD Form 4 – for enlistment dated 23 January 2015 shows the applicant enlisted in the USAR for 6-years in the grade of E-6 (Antedated Reenlistment)
- DA Form 3540 dated 23 January 2015 notified the applicant of the requirements and methods to fulfill his reenlistment contract
- Headquarters, 412th Theater Engineer Command Memorandum, Subject: Antedated Reenlistment for Corporal A-, E- (the applicant), dated 19 September 2015, shows his command approved an antedated reenlistment contract due to:
  - An erroneous Expiration Term of Service (ETS) was entered into his service record
  - His ETS should be 22 January 2015
  - The correct enlistment date should be 23 January 2015
- DD Form 214 for service in the USAR ending 22 October 2017

- DA Form 4836 (Oath or Extension of Enlistment or Reenlistment) dated 20 January 2021
- DA Form 4836 dated 21 January 2023
- DA Form 5016 (Retirement Accounting Statement) dated 19 October 2023 shows in Retirement Year Ending (RYE):
  - 25 August 2008 – his type of service was in the Delayed Entry Program (DEP) and only earned 15 membership point for a year which did not qualify for retirement
  - 25 August 2009 – his type of service was in the DEP and only earned 15 membership point for a year which did not qualify for retirement
  - 25 August 2010 – his type of service was in the DEP and only earned 15 membership point for a year which did not qualify for retirement
  - 25 August 2011 – his type of service was in the DEP and only earned 15 membership point for a year which did not qualify for retirement
  - 22 January 2012 – his type of service was in the DEP and only earned 6 membership point for a year which did not qualify for retirement
  - Does not show a break in service
  - 18 September 2022 his type of service was in a Troop Program Unit (TPU) and earned 3 inactive duty points, 15 membership points, zero active duty points for a total of 18 creditable points
  - 13 November 2022 – his type of service was in a TPU and earned zero inactive duty points, 2 membership points and zero active duty points for a total of 2 creditable points
  - 19 September 2023 – his type of service was in a TPU and earned 28 inactive duty points, 13 membership points and zero active duty points for a total of 41 creditable points
  - Applicant's RYEs are split due to his assignment from the Individual Mobilization Augmentee to a TPU and the transition from the legacy system to the Integrated Personnel and Pay System – Army (IPPS-A) for the Human Resources system of records
- Department of the Army Orders Number 7068824 dated 24 January 2024
- Spreadsheet which shows for the period of:
  - 24 May 1999 through 23 May 2007 – 8-years of service in the USN (Regular)
  - 19 September 2007 through 22 January 2012 – 4-years, 4-months, and 4-days of service in the Regular Army
  - 23 January 2012 through 22 January 2015 – 3-years of service in a USAR TPU

**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:

- He served 8-years in the USN
- He served 4-years, 4-months, and 4-days in the Regular Army
- He enlisted in the USAR for 3-years, where he served until his separation in 2023
- His USN and Regular Army service is missing from his DA Form 5016 which is preventing him from applying for retired pay because he has not received his Notification of Eligibility for Retired Pay at Age 60

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

- On 24 May 1999, he enlisted in the USN
- On 23 May 2007, he was honorably discharged from active duty, DD Form 214 shows he completed 8-years of active service
- On 19 September 2007, he enlisted in the Regular Army (RA) for 3-years and 18-weeks
- On 6 November 2011, he enlisted in the USAR for 3-years
- On 22 January 2012, he was honorably released from active duty and assigned to a USAR TPU, DD Form 214 shows he completed 4-years, 4-months, and 4-days of active service
- On 6 July 2017, he was ordered to active duty in support of Operation Enduring Freedom by Orders Number 17-161-00001 dated 10 June 2017
- On 22 October 2017, he was honorably released from active duty and reverted back to USAR control, DD Form 214 shows he completed 3-months and 17-days of active service
- On 20 January 2021, he extended his enlistment in the USAR for 2-years for a new ETS date of 22 January 2023
- On 21 January 2023, he extended his enlistment in the USAR for 6-months for a new ETS date of 22 July 2023
- On 22 July 2023, he was discharged from the USAR by Orders Number 7068824 dated 24 January 2024
- DA Form 5016 (Retirement Accounting Statement) dated 10 May 2025 shows in Retirement Year Ending (RYE):
  - 18 September 2008 – his type of service was in the USA and 366 active duty points which qualified for retirement

- 18 September 2009 – his type of service was in the USA and 365 active duty points which qualified for retirement
- 18 September 2010 – his type of service was in the USA and 365 active duty points which qualified for retirement
- 18 September 2011 – his type of service was in the USA and 365 active duty points which qualified for retirement
- 22 January 2012 – his type of service was in the USA and 126 active duty points which qualified for retirement
- Does not show a break in service
- 18 September 2022 his type of service was in a TPU and earned 3 inactive duty points, 15 membership points, zero active duty points for a total of 18 creditable points
- 13 November 2022 – his type of service was in a TPU and earned zero inactive duty points, 2 membership points and zero active duty points for a total of 2 creditable points
- 18 September 2023 – his type of service was in a TPU and earned 28 inactive duty points, 13 membership points and zero active duty points for a total of 41 creditable points
- Applicant's RYEs are split due to her assignment from the IMA to the TPU and the transition from the legacy system to the IPPS-A for the Human Resources system of records

4. On 5 May 2025, in the processing of this case, the U.S. Army Human Resources Command provided an advisory opinion regarding the applicant's request for the correction of his DA Form 5016. The advisory official stated his DA Form 5016 had been updated to incorporate his active Army and active Navy service. With these additions he has 20-years of creditable service for non-regular retirement. However, since the applicant has been separated from the service and is no longer in the IPPS-A, his retirement points cannot be verified for the period of 19 September 2022 through 22 July 2023. The applicant will need to provide his leave and earnings statements for this period for any required corrections. His updated DA Form 5016 was provided by the advisory official:

- DA Form 5016 (Retirement Accounting Statement) dated 5 May 2025 shows in RYE:
  - 23 May 2000 – his service type was in the USN and 366 active duty points which qualified for retirement
  - 23 May 2001 – his service type was in the USN and 365 active duty points which qualified for retirement
  - 23 May 2002 - his service type was in the USN and 365 active duty points which qualified for retirement

- 23 May 2003 - his service type was in the USN and 365 active duty points which qualified for retirement
- 23 May 2004 - his service type was in the USN and 366 active duty points which qualified for retirement
- 23 May 2005 - his service type was in the USN and 365 active duty points which qualified for retirement
- 23 May 2006 - his service type was in the USN and 365 active duty points which qualified for retirement
- 23 May 2007 - his service type was in the USN and 365 active duty points which qualified for retirement
- 24 May 2007 through 18 September 2007 – he had a break in service
- 18 September 2008 – his type of service was in the RA and 366 active duty points which qualified for retirement
- 18 September 2009 – his type of service was in the RA and 365 active duty points which qualified for retirement
- 18 September 2010 – his type of service was in the RA and 365 active duty points which qualified for retirement
- 18 September 2011 – his type of service was in the RA and 365 active duty points which qualified for retirement
- 22 January 2012 – his type of service was in the RA and 126 active duty points which qualified for retirement
- 18 September 2022 his type of service was in a TPU and earned 3 inactive duty points, 15 membership points, zero active duty points for a total of 18 creditable points

5. On 6 May 2025, the Army Review Boards Agency, Case Management Division, notified the applicant he needed to provide his leave and earnings statements for the period of 19 September 2022 through 22 July 2023 in order to correct the remainder of his DA Form 5016.

6. The applicant provided his Calendar Year (CY) 2022 and CY 2023 Defense Joint Military Pay System (DJMS): Reserve Component (DJMS-RC) Master Military Pay Account (MMPA) which shows he earned:

- One inactive duty points on 1 April 2022
- Two inactive duty points on 9 June 2022
- Four inactive duty points on 11 through 12 February 2023
- Eight inactive duty points on 28 through 31 March 2023
- Four inactive duty points on 1 through 2 April 2023
- Eight inactive duty points on 11 through 14 May 2023

**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 review based on law, policy, and regulation. The Board noted in the AHRC advisory the applicant's U.S. Army and U.S. Navy service had been updated already. The Board further noted the applicant in his rebuttal provided MMPA's for showing he earned:

- One inactive duty points on 1 April 2022
- Two inactive duty points on 9 June 2022
- Four inactive duty points on 11 through 12 February 2023
- Eight inactive duty points on 28 through 31 March 2023
- Four inactive duty points on 1 through 2 April 2023
- Eight inactive duty points on 11 through 14 May 2023

The Board determined he should be awarded retirement points for the dates shown on his MMPA.

2. The applicant's request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

**BOARD VOTE:**

Mbr 1	Mbr 2	Mbr 3
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XXX	XXX	XXX	GRANT FULL RELIEF
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:	:	:	GRANT FORMAL HEARING
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:	:	:	DENY APPLICATION
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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 all Department of the Army records of the individual concerned by AHRC reviewing the applicant's MMPA and awarding the applicant appropriate retirement points for the period 19 September 2022 through 22 July 2023, provided all other criteria is met, and providing the applicant an updated DA Form 5016.

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) 140-1 (Mission, Organization, and Training), provides policy guidance on the mission, organization, and training of the U.S. Army Reserve (USAR). Paragraph 3-11 (Equivalent Training (ET)), ET is performed in lieu of scheduled training (either RST or, Unit Training Assembly (UTA) or MUTA). Pay or retirement point credit, or both is authorized. ET must be accomplished within 60-days after the training for which it is substituted, or by the end of the training year (fiscal year) if within 60-days of that date. An explanation of the circumstances will be included, with a statement that the ET, if granted, will not cause the Soldier to exceed the 48 paid unit assemblies for the fiscal year. a. ET is limited to Soldiers who have missed a UTA, MUTA, or RST due to unforeseen personal emergencies and desire to make it up. No more than 4 UTAs may be made up during a fiscal year. b. ET given will be the same type and quality as the training missed. It will be appropriate to, and enhance the ability of, Soldiers to carry out their assigned duties. For staff or support personnel, this may include duty which enhances unit training, management, or readiness. c. ET must be at least as long as the training missed. d. ET will not be granted for assemblies missed due to ADT.
3. AR 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records) prescribes policy for U.S. Army Reserve (USAR) training and retirement point credit.
  - a. Paragraph 2-1 (Criteria for crediting retirement points), the limitations on the number of points which may be credited to a Soldier during a retirement year. Maximum-365 (366 during leap year) points. However, Annual or Terminal Statement of Retirement Points will report all points earned. Retirement points credited for activities other than active service or funeral honors may not exceed 130 retirement points for anniversary years closing on or after 30 October 2007. IDT will be either 4-hours in length for one retirement point or 8-hours in length for two retirement points, with the exception of the 2-hour IDT funeral honors duty.
  - b. Paragraph 2-2 (Criteria for earning retirement points) states retirement points may be earned by USAR Soldiers for active duty or duty in an active status for 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 training of individual Soldier in a non-pay status.

c. Paragraph 2-4 (Criteria for awarding retirement points), 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. Table 2-1 provides criteria for award of retirement points for IDT performed in accordance with AR 140-1 (unless another reference is cited). Most types of IDT are covered by one of the following rules on required duration of IDT and calendar day limitations on points.

- Four-hour rule; Soldiers earn one point for each scheduled 4-hour period of IDT at Battle Assembly, RST, ET, or ATA
- 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

d. Paragraph 3-3 (DA Form 1380), DA Form 1380 will be prepared for a unit Soldier who performs ET or additional training with their unit subsequent to the scheduled BA. TPU units will retain one copy of the DA Form 1380 to post the appropriate entry into ADARS for the month's report and then place in the appropriate Army records information management system file. Non-paid 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.

e. 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. The code "P" indicated the Soldier is entitled to retirement point credit and pay.

4. Department of Defense Instruction (DoDI) 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.

5. AR 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR may, in its discretion, hold a hearing or request additional evidence or opinions. Additionally, it states in paragraph 2-11 that applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

//NOTHING FOLLOWS//