

IN THE CASE OF: [REDACTED]

BOARD DATE: 17 January 2025

DOCKET NUMBER: AR20240002171

APPLICANT REQUESTS: Reserve Retirement Points to be transposed over from Defense Acquisition University (DAU) transcript to his DA Form 5016 (Retirement Accounting Statement).

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

- DD Form 149 (Application for Correction of Military Record)
- Two letters from the Office of the Inspector General
- Certificate for Life Cycle Logistics Course, 1 June 2020
- DAU Unofficial Transcripts with selected courses highlighted.

FACTS:

1. The applicant states per DoDI 5000.66, Course Fulfillment Policy, Public Law 101-510, Title 10, USC, Chapter 87 Section 1705 and 1746 and National Defense Authorization Act (NDAA) Army Acquisition Workforce professional under DAWIA program are authorized to receive credit for DAU training courses. Office of the Assistant Secretary of the Army, Acquisition, Logistics and Technology has its Program Objective Memorandum (POM) that allows Army acquisition personnel taking authorized courses from the DAU in order to stay relevant on their job.

2. Having had prior Regular Army and U.S. Army Reserve service, the applicant was appointed a Reserve Warrant Officer of the Army and executed an oath of office on 14 August 2019. He holds military occupational specialty 920A, Property Accounting Technician.

3. The applicant provides:

a. A certificate, dated 1 June 2020, reflective of his completion of Level 1 of Life Cycle Logistics Course.

b. DAU Transcripts, dated 27 March 2022, where he highlighted several courses (ACQ 202, Intermediate Systems Acquisition, Part A), LOG 235 (Performance Based

Logistics), CLE 068, Intellectual Property and Data Rights), and CLG 0010 (DOD Government Wide Comm Purchase Card Overview).

4. He also provides two letters from the Office of the Inspector General as follows:

a. 21 September 2023, the IG responded to his request for assistance concerning receiving credit for Defense Acquisition University courses. The IG conducted an inquiry into the issue and after reviewing the required documents and regulatory guidance, AR 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records, para 3-3b) and the exception to the regulatory policy dated March 24, 2022, the IG found that in order for the Readiness Division to process retirement points for completed courses, the DA Form 1380 (Record of Individual Performance of Reserve Duty Training) needed to be processed within 60 days from the performance of duty.

b. 14 February 2024, the IG stated is the final response to his request for assistance. He requested included seeking direction how to move forward with the issue of receiving retirement point credit for completed Defense Acquisition University courses. The IG conducted a thorough inquiry into his request for retirement point credit and determined that it was not submitted in accordance with the USARC Electronic Based Distributed Learning (EBDL) Policy and Guidance. Requirements to receive retirement points for EBDL courses are authorized when a Soldier's Commander directs the Soldier in a memorandum to enroll in and complete the course. Y

5. The applicant's DA Form 5016 shows he has completed 17 qualifying years of service towards non-regular retirement.

6. The U.S. Army Reserve Command (USARC) provided an advisory opinion on 3 December 2024 in the processing of this case. An advisory official stated USARC reviewed applicant's documents and determined he should not be awarded retirement points for requested courses in accordance with AR 140-185, 2-3. a. Soldiers attending training or distance learning/distributed learning training in a DoD Civilian capacity are not entitled to retirement point credit per DoDD 5500.07. No administrative relief granted.

7. The applicant was provided with a copy of this advisory opinion to give him an opportunity to provide a rebuttal.

8. On 14 January 2025, the applicant provided a response to the advisory official.

a. He was claiming the points based on his job performance while serving in the military which falls under the scope of acquisition-related function outlined in Chapter 87 of Title 10 of United States Code Defense Acquisition Workforce. His annual evaluation report listed the significant duties and responsibilities for that rated period, and it has

been successfully accepted in the evaluation entry system. The Army Career Tracker also shows he completed the required courses.

b. He could not complete the minimum requirement due to attendance restrictions related to COVID-19 and taking convalescent leave for family. He later came across a memorandum that reservists are considered to be in good standing status for those who were affected by COVID-19.

c. In connection with his statement, he provides 10 United States Code Chapter 87: Defense Acquisition Workforce, a DA Form 67-10-1 (Company Grade Plate (O1-O3, WO1 – CW2) Officer Evaluation Report for the period covered 24 July 2021 to 23 November 2022, a screenshot of his Army Career Tracker, an approval memorandum from his commander for the courses requested, Memorandum, subject: Defining the Term “In Good Standing” for Reserve Component Soldiers Receiving Retirement Points Due to Attendance Restrictions Related to COVID-19 from the Office of the Assistant Secretary for Manpower and Reserve Affairs, dated 31 October 2022, and a Notice on the Continuation of the National Emergency Concerning the COVID-19 Pandemic issued by the President on 10 February 2023.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The Board noted the applicant's contention that he attended DAU training courses in his civilian capacity. However, the Board reviewed and concurred with the U.S. Army Reserve Command's advising official finding that the statute does not allow for credit of Soldiers attending training or distance learning/distributed learning training in a DoD Civilian capacity and recommended denial. The Board determined no administrative relief should be granted.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

4/8/2025

X

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. Army Regulation 135-180 (Army National Guard and Reserve, Retirement for Regular and Non-Regular Service) prescribes policy and procedures governing the granting of retired pay for non-regular service to Soldiers in the Army National Guard (ARNG), Army National Guard of the United States (ARNGUS), and the U.S. Army Reserve (USAR). The DA Form 5016 (Retirement Accounting Statement) provides members of the Reserve Components a detailed listing of retirement points earned in the previous completed anniversary years and assists units and Soldiers in verifying retirement points earned during the annual review. Appendix B-1 provides a detailed and long listing of service creditable as qualifying service and Appendix B-2 provides a listing of service not creditable as qualifying service.

2. Army Regulation 140-185, Training and Retirement Points Credits and Unit Level Strength Accounting Records, sets responsibilities and procedures to establish and maintain retirement records prescribing the types of training and activities for which retirement points are authorized. Electronic-based distributed learning is a training medium for use collectively or individually, with or without the control of an instructor or leader. Soldiers in an inactive duty training status directed or authorized to take EBDL coursework outside of duty or training periods are not required to be present at a government facility, to be in a duty or training status, to report time or attendance or to wear a uniform. EBDL does not include traditional correspondence courses.

a. Paragraph 2-3 (Qualification and eligibility for earning retirement points) states in sub-paragraph (a) Authority and specific individual qualifications required for earning retirement points are in DODI 1215.07, DODI 1215.21, AR 140-1, and other regulations governing the type of Reserve duty training to be performed. All active duty and IDT must be preapproved by the unit of assignment/attachment prior to the duty performance. Soldiers attending training or distance learning/distributed learning training in a DOD Civilian capacity are not entitled to retirement point credit per DODD 5500.07.

b. Paragraph 2-4, Eight-hour rule. Approved electronic-based distributed learning (EBDL) courses will be awarded to members of the SELRES (Troop Program Units). Subject to available funding, and as pre-approved, Soldiers may earn one retirement point and be paid for one IDT for every 8 hours of distance learning completed.

//NOTHING FOLLOWS//