

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 February 2025

DOCKET NUMBER: AR20240007144

APPLICANT REQUESTS: retirement points credit for electronic-based distributed learning (EBDL) courses completed at the Air War College during 2021.

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

- DD Form 149 (Application for Correction of Military Record)
- Air War College Certificate, 7 September 2022
- Air University Non-Degree Program Transcripts, 12 December 2020
- DA Form 1380 (Record of Individual Performance of Reserve Duty Training), July through December 2021
- DA Form 1380, June through November 2021

FACTS:

1. The applicant states he seeks correction to his retirement points. He seeks to obtain the creditable points for the Air War College courses that he took between May 2020 - May 2021. He does not seek to be paid for any of these courses but wants to ensure that this time does not reflect as a "bad year" on his records. Once approved, he will be fully eligible for his 20-Year Letter and plans to retire from the Army later this year.

a. He transferred from the Army National Guard to the U.S. Army Reserves over the 2020-2021 time. Not only did this take place at during the height of COVID restrictions the transition took longer than hoped on both sides of the off-boarding and on-boarding between units. As a result, he was not able to achieve enough in-person drills to accumulate sufficient points to make a "good year." He finished with 43 of the required 50 points. The absence of these "points" resulted in a "bad year" on his record, rather than a "good" fully creditable year in his military service. However, during this time, he also independently completed the Air War College (DL). which should have qualified him for points, which were never appropriately submitted by either of his 'losing' or 'gaining' units.

b. He has re-attached his graduation certificate and transcripts which clearly identify the courses, contact hours, and the dates these the courses were completed from 2020-2021. He has also attached the DA Forms 1380s that his immediate supervisor at the

time signed to support his participation into this course and my requests for creditable points. Multiple attempts were made to make this change at the unit level. Unfortunately, transitions in HR personnel at the unit and updates to the IPSAA-A system further delayed requests and initial denials were not pursued by full time staff or communicated to him.

2. The applicant served on active duty as a commissioned officer from 9 May 2004 to 13 September 2008. He was then appointed a Reserve commissioned officer of the Rhode Island Army National Guard and executed an oath of office on 14 September 2008.

a. He served in a variety of assignments, including periods of mobilization, and he was advanced to lieutenant colonel on 31 December 2019.

b. He was separated from the ARNG on an unknown date and transferred to the U.S. Army Reserve. There is no NGB Form 22 (Report of Separation and Record of Service) filed in his record.

c. His NGB Form 23B (ARNG Current Annual Statement), dated 30 December 2021, shows he completed 17 qualifying years of service towards non-regular retirement. His last period of service in the ARNG is shown as 9 May 2021 through 16 November 2021.

3. On 20 December 2021, the U.S. Army Human Resources Command published orders transferring him from the U.S. Army Reserve Control Group (Reinforcement) to U.S. Army Element, EUCOM-Devens, MA.

4. His DA Form 5016, Retirement Accounting Statement, dated 15 September 2024, shows he completed 19 qualifying years of service towards non-regular retirement. A breakdown of his retirement points is as follows:

BEGIN DATE	END DATE	MIL PER CLASS	SERVICE TYPE	INACTIVE DUTY POINTS	EXT COURSE POINTS	MEMBER -SHIP POINTS	ACTIVE DUTY POINTS	QUALIFYING FOR RETIREMENT			POINTS EARNED	POINTS CREDIT-ABLE
								YRS	MOS	DAYS		
20200509	20210508	O	ARNG	46	0	15	316	01	00	00	92	92
20210509	20211116	O	ARNG	6	0	8	0	00	00	00	14	14
20211117	20220508	O	TPU	11	0	7	0	00	00	00	18	18
20220509	20221113	O	TPU	27	0	8	16	00	06	06	51	51
20221114	20230508	O	TPU	9	0	7	0	00	05	24	16	16
20230509	20240508	O	TPU	15	0	15	37	01	00	00	67	67
20240509		O	TPU	0	0	0	0	00	00	00	0	0
CAREER TOTALS				307	0	235	3791	19	00	00	4333	4266

5. He provides a Certificate of Graduation and Transcripts from Air University. He also provides two DA Forms 1380, as follows:

a. DA Form 1380 dated 2 May 2022, retirement points only (N2), reflective of 76 hours of Air War College studies, completed between July and December 2021. The form is signed on 3 May 2022.

b. DA Form 1380 dated 2 May 2022, retirement points only (N2), reflective of 84 hours of Air War College studies, completed between July and November 2021. The form is signed on 3 May 2022.

6. The U.S. Army Reserve Command (USARC) provided an advisory opinion on 11 December 2024 in the processing of this case. USARC advisory official stated USARC reviewed applicant's documents, and he should be awarded 21 points. Under the Eight-hour rule, Soldiers earn one point for every eight hours of distance learning (AR 140-185), Training and Retirement Point Credits and Unit Level Strength Accounting Records, paragraph 2- 4.b.(5)). Partial administrative relief granted.

7. The applicant was provided with a copy of this advisory opinion to give him an opportunity to submit comments/response. No response was received from the applicant as of 26 December 2024.

8. By regulation, each eight (8) hours of successfully completed EBDL course work will earn a Soldier credit for completion of one paid ATA and one IDT Duty retirement point. All EBDL courses list academic hours in the ATRRS Unofficial Transcript which should be used to calculate ATA compensation.

#### BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documentation, the findings and recommendation of the USARC advisory official and the lack of any rebuttal of those findings and recommendations by the applicant, the Board concluded there was sufficient evidence to grant partial relief by adding 21 retirement points to the applicant's record.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:X	:X	:X	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by adding 21 retirement points to the applicant's DA Form 5016 for the period 20210509-20211116.
2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to awarding any additional retirement point credit not mentioned above.

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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. Paragraph 2-4 (Criteria for awarding retirement points) states in:

a. Personnel on active duty, ADT, IADT, involuntary ADT, or AT are awarded one 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.

b. Table 2–3 provides criteria for award of retirement points for IDT performed in accordance with DODI 1215.07 and 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. A maximum of two retirement points may be credited for attendance at unit BA or IDT in any 1 calendar day. Also, in sub-paragraph b (5), Eight-hour rule. Approved electronic-based distributed learning (EBDL) courses will be awarded to members of the SELRES (TPU). 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//