

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 24 March 2025

DOCKET NUMBER: AR20240007279

APPLICANT REQUESTS: in effect –

- To be awarded retirement points for completing the Army War College Distance Education Program (DEP) Electronic Based Distance Learning (EBDL).
- Personal appearance before the Board

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

- DD Form 149 (Application for Correction of Military Record)
- U.S. Army War College and Carlisle Barracks Memorandum – Subject: Record of Course Hours for the U.S. Army War College (USAWC) DEP Class of 2015 and later, dated 4 May 2017, which states, in part:
 - each DEP graduate should submit a copy of the memorandum with a transcript to his or her respective service component personnel center for calculation, award and recording of retirement points; components should use the "Course Contact Hours" column for computation of retirement points
- USAWC Master of Strategic Studies Degree awarded to him on 28 July 2023
- USAWC Superior Graduate Class of 2023 Diploma awarded to him on 28 July 2023
- DA Form 1059-2 (Senior Service and Command and General Staff College Academic Evaluation Report), which shows he completed the Distance Education Course (2nd Year Resident, Phase), 23-001, on 28 July 2023
- USAWC Academic Transcript dated 24 August 2023, which shows he earned a total of 36 credit hours

FACTS:

1. The applicant states:

- He completed the Army War College DEP while serving as a member of the U.S. Army Reserve (USAR)

- Upon graduation, him and his class were informed that members of the USAR were entitled to retirement points based on the hours of academic study they completed
- He submitted a request for retirement points in the Integrated Personnel and Pay System – Army (IPPSA) in accordance with the guidance the Army War College provided
- He never applied for or received payment for any of the hours of distance education credits he completed
- His request for retirement points was denied and he was informed this was the only option he could pursue to obtain retirement points
- He does not concur with the response he received that denied his request for retirement points:
 - Sergeant First Class D_ M_ on 27 March 2024, "Military Correspondence nonresidential distance learning retirement point credit (1 retirement point per every 3 hours) was removed as a form of retirement point credit effective 15 April 2016.";
 - this is a quote directly from the U.S. Army Human Resources Command (HRC Points Only) webpage and in accordance with (IAW) Army Regulation (AR) 140-185, paragraph 3-4, it states that Soldiers will be compensated by pay and not points"; the only way a Soldier can be compensated for a correspondence/EBDL) course for Points Only is to submit a request for approval through the Board

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

- Having prior USAR enlisted service, on 19 July 2002, DA Form 71 (Oath of Office – Military Personnel) shows the applicant was appointed as a Reserve commissioned officer and executed his oath of office
- On 22 May 2004, DA Form 71 shows he was appointed as a Reserve commissioned officer, in the rank of first lieutenant, and he executed his oath of office
- On 1 June 2004, DD Form 214 (Certificate of Release or Discharge from Active Duty) shows the applicant entered active duty and was released from active duty and transferred to his USAR unit on 1 December 2017
- On 2 December 2017, HRC notified the applicant that he was appointed as a Reserve commissioned officer of the Army conclusive on his acceptance, in the rank/grade of major/O-4
- On 5 September 2019, HRC notified the applicant of his eligibility for Retired Pay at Non-Regular Retirement (20-Year Letter)
- DA Form 1059-2 shows the applicant completed the Distance Education Course (2nd Year Resident, Phase) 23-001, on 28 July 2023; the duration of the course was from 17 to 28 July 2023

- Order Number 0006963994.00 dated 10 January 2024, promoted the applicant to the rank/grade of colonel/O-6, effective 19 December 2023
- DA Form 5016 dated 2 September 2024 shows the applicant's total retirement points earned as – 467 Inactive Duty Training (IDT), 172 Membership, 5977 Active Duty Training (ADT), 25 years Qualifying for Retirement, 6616 Points Earned, and 6616 Points Creditable; in pertinent part, it also shows for the anniversary years listed below, he earned:
 - 3 August to 13 November 2022 – 12 IDT, 4 Membership, 13 ADT, 3 months and 12 days Qualifying for Retirement, 29 Points Earned, and 29 Points Creditable
 - 14 November 2022 to 2 August 2023 – 27 IDT, 11 Membership, 23 ADT, 8 months and 19 days Qualifying for Retirement, 61 Points Earned, and 61 Points Creditable

3. On 12 March 2025, Headquarters, U.S. Army Reserve Command (USARC), Retirement Services Officer, provided an advisory opinion for this case recommended granting no administrative relief. The USARC advisory official states, USARC reviewed the applicant's documents and determined he should not be awarded any retirement points IAW AR 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). The applicant did not provide a DA Form 1380 (Record of Individual Performance of Reserve Duty Training) and does not show authorization to attend the EBDL course for points only after depletion of unit funds. The applicant completed the EBDL Course in 2023 and at the time of course completion EBDL in a point only status was not authorized. AR 140-185 effective 26 August 2024 now allows for points only EBDL with approval. "No administrative relief granted."

4. On 14 March 2025, the applicant was provided with a copy of the USARC advisory opinion to allow comments or rebuttal. As of 20 March 2025, he has not responded.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documentation, the findings and recommendations outlined in the USARC advisory opinion, and the lack of any rebuttal of those findings submitted by the applicant, the Board concluded there was insufficient evidence of an error or injustice warranting a change to the applicant's military record.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:XXX	:XXX	:XXX	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.

//SIGNED//

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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. AR 15-185 (Army Board for Correction of Military Records (ABCMR)) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. In pertinent part, the regulation states that the ABCMR begins its consideration of each case with the presumption of administrative regularity. It will decide cases based on the evidence of record and it is not an investigative body. The applicant has the burden of proving an error or injustice by a preponderance of the evidence. Paragraph 2-11 states 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.
2. AR 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records), currently in effect, prescribes Army policy for USAR training and retirement point credit. Paragraph 3-4 (Electronic-based distributed learning (EBDL))

states, Public Law 107-107, section 603, authorized compensation to certain members of the Selected Reserve (SELRES). Pursuant to Title 37, U.S. Code (USC), section 206(d), a member of the SELRES of the Ready Reserve may be paid compensation at a rate and under terms determined by the Secretary of Defense upon the member's successful completion of a course of instruction undertaken by the member using EBDL methodologies to accomplish training requirements related to unit readiness or mobilization, as directed for the member by the Secretary concerned. This regulation provides discretionary payments only for members of the SELRES not in active service or on active duty who are directed by their commanders to complete training requirements related to unit readiness or mobilization by means of EBDL. In pertinent part:

a. Commanders may direct Soldiers to enroll in and complete EBDL courses that are eligible for Reserve compensation. Commanders will provide this direction in writing, citing the availability of funds or, upon depletion of funds, completion in a points only status in advance of a Soldier's enrollment.

b. Per AR 135-180, the maximum number of IDT periods performed by type (except for Equivalent Training (ET)) and retirement points that may be awarded in 1 day do not apply to additional training periods for distributed learning, nor do they prevent the performance of other types of IDT periods on the same date. However, retirement points will not be credited in excess of the maximum number creditable in an anniversary year for IDT.

c. Initiate payment only when a Soldier satisfactorily completes directed EBDL phases or courses. Commanders must validate the required training was completed and is updated in a formal Army record of training (for example, ATRRS) within 365 days of course completion. Each 8 hours of successfully completed qualifying EBDL coursework will earn a Soldier credit for completion of one additional training period, whether paid or unpaid upon depletion of funds, and one Reserve retirement point. These are categorized as IDT points and are subject to the annual limit on Reserve retirement points that may be credited in an anniversary year toward retired pay by Title 10, U.S. Code, section 12733(3).

d. The Army National Guard (ARNG)/ARNG of the United States and the USAR are responsible for presenting the requirements for distributed learning training days for inclusion in the program objective memorandum or the program budget review.

e. Paragraph 3-3 (DA Form 1380) states, the purpose of DA Form 1380 is to record IDT by: (1) Troop Program Unit (TPU) Soldiers performing IDT assemblies when pay is authorized, and the Soldier is not present to sign the IDT attendance roster. (2) TPU Soldiers attached to another USAR unit for 89 or fewer days. In such cases the unit of attachment will prepare DA Form 1380 and forward to unit of assignment for recording

attendance. (3) Non-unit Soldiers under the jurisdiction of U.S Army Human Resources Command (HRC) who are attached for retirement points only to USAR TPUs, ARNG units, or to another Service or component for training per AR 140-10. Only attached Soldiers are authorized to perform IDT with the exception of one annual physical health assessment each for medical and dental readiness when authorized by the command prior to the event. (4) Non-unit Soldiers performing other IDT for retirement point credit as outlined in table 2-4.

f. DA Form 1380 will be prepared for a unit Soldier who performs ET or additional training with their unit subsequent to the scheduled Battle Assembly (BA). TPU units will retain one copy of the DA Form 1380 to post the appropriate entry into Automated Drill Attendance Reporting Software (ADARS) for the month's report and then place in the appropriate Army Records Information Management System (ARIMS) file. Nonpaid DA Form 1380s will not be entered into ADARS. Nonpaid DA Form 1380s must be digitally signed with time-date stamp and submitted to HRC for Individual Mobilization Augmentee/Individual Ready Reserve and to the Readiness Division (RD) for TPU for award of retirement points no later than 90 days from date the duty was performed. For example, duty performed on 21 January 2022, DA Form 1380 must be signed and submitted to the appropriate organization no later than 20 April 2022. DA Form 1380 will be digitally signed with time/date stamp.

//NOTHING FOLLOWS//