

IN THE CASE OF: [REDACTED]

BOARD DATE: 12 August 2024

DOCKET NUMBER: AR20230003996

APPLICANT REQUESTS: correction of his record to show he was paid his Non-Prior Service Enlistment Bonus (NPSEB).

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 4 (Enlistment/Reenlistment Document Armed Forces of the United States)
- DD Form 1966 (Record of Military Processing Armed Forces of the United States)
- [REDACTED] University certificate
- Selected Reserve Incentive Program (SRIP) Policy Number 20-01
- Email correspondence
- Memorandum, Subject: Correction of Military Records for SRIP

FACTS:

1. The applicant states on 27 March 2020, he enlisted in the Army National Guard (ARNG) as a 42R (Bandperson). He chose to enlist for 6 years vice 3 to be eligible for incentives. At the time 42R was part of the top 10 critical military occupational specialty (MOS) list which was authorized the incentive. The criteria was an Armed Service Vocational Aptitude Battery (ASVAB) score of 50 or above. He scored 61 on his ASVAB and enlisted for 6 years for a \$20,000.00 NPSEB. The Military Entrance Processing Station (MEPS) guidance counselor made an error and omitted the incentive step in the enlistment process. No incentives were ever discussed as part of the process even though he was eligible. Once he enlisted and left the MEPS, his recruiter asked if he had received the NPSEB. He told him no. Once they arrived at the office, they proceeded to check his contract to confirm he did not receive the NPSEB and they found the error to be true. An appeal was submitted to the [REDACTED] Education Incentives office, and it was acknowledged that an error had been made.

2. A review of the applicant's service records show:

a. On 27 March 2020, the applicant enlisted in the ARNG for a period of 6 years. In conjunction with this enlistment DD Form 1966 was completed which shows in item 16 (Aptitude Test Results) his percentile was 61 and in item 18 (Accession Data), item O (Primary MOS) 42R. The form is void of a NPSEB incentive being offered. Likewise, his record is void of a NPSEB addendum.

b. On 5 January 2021, the applicant entered initial active duty for training.

c. On 24 May 2021, Orders Number 144-09 issued by the U.S. Army, School of Music, the applicant was awarded MOS 42R, effective 28 May 2021.

d. On 28 May 2021, the applicant was honorably released from active duty and returned to his ARNG unit. DD Form 214 (Certificate of Release or Discharge from Active Duty), shows in item 11 (Primary Specialty) 42R.

3. The applicant provides:

a. [REDACTED] University certificate showing the applicant completed the requirements to be awarded a Bachelor of Arts.

b. SRIP Policy Number 20-01 which shows the requirements to be awarded the NPSEB and shows 42R on the authorized enlisted affiliation critical MOS list, as well as an ASVAB score of greater than 50 being a requirement for the NPSEB.

c. Email correspondence wherein the missing bonus addendum in the applicant's original enlistment packet would require him to petition the Board.

d. Memorandum, Subject: Correction of Military Records for SRIP, wherein the 123rd Mobile Public Affairs Detachment Operations Sergeant reiterates the applicant's contentions in his opening statement to the Board.

4. On 18 April 2024, in the processing of this case the National Guard Bureau, Chief, Special Actions Branch, provided an advisory opinion recommending approval, and stating in pertinent part:

a. The [REDACTED] ARNG Deputy Chief of Staff, G1 states the applicant was eligible for the NPSEB and should not be penalized for the erroneous paperwork. He was fully eligible for the bonus at the time.

b. A review of the applicant's request was conducted by the ARNG Incentives Oversight Branch shows although the applicant may have met the eligibility requirements for the incentive being requested, and the MOS was listed on the [REDACTED] ARNG 2nd quarter Critical Skills list, there is no documentation presented that suggest the bonus was in

the discussion for reason in joining the ARNG. The [REDACTED] ARNG manned the MEPS office with non-qualified personnel to perform accessions in accordance with regular ARNG SRIP guidance. There is no evidence to support any action to correct on the date of enlistment or the state submitting an exception to policy since 2020 regarding this case. The ARNG Incentives Oversight Branch claims the applicant did not contract for a bonus and is not authorized any payment. The ARNG Incentives Oversight Branch believes the case is in an attempt to be granted the incentive after the fact which would require the ARNG to issue an incentive agreement if approved.

c. After further review of the applicant's documents provided and discussions with the [REDACTED] ARNG and ARNG Incentives Oversight Branch, it is the conclusion of this office, that the applicant was eligible for the NPSEB, but the bonus language was not placed in his contract due to the initial recruiter not being SQ14 qualified and the MEPS Guidance Counselor not confirming eligibility and placing language into his contract. This office recommends a \$20,000.00 NPSEB request be granted.

d. The ARNG Incentives does not concur with the recommendation.

e. The [REDACTED] ARNG concurs with this recommendation.

5. On 23 April 2024, the applicant was provided with a copy of the advisory opinion for comment or rebuttal. He 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 Chief of the Special Actions Branch for the National Guard Bureau finding the applicant enlisted in the Army National Guard for 6 years with a qualifying score on the Armed Forces Qualification Test for a \$20,000 Non-Prior Service Enlistment Bonus. The Board concluded the applicant was eligible for the bonus and due to not fault of the applicant, his contract was not executed properly; therefore, the Board determined relief was warranted.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

■	■	■	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 and Army National Guard records of the individual concerned be corrected by:

- showing the applicant's signed service addendum for his non-prior service enlistment bonus in the amount of \$20,000 was signed by a service representative and timely processed and entered in the appropriate processing system
- payment of eligible incentives, in accordance with the above service agreement, provided he is otherwise qualified, as a result of this correction

10/28/2024

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. Department of Defense Instruction (DoDI) 1205.21 (Reserve Component Incentive Programs Procedures) paragraph 6.2 states, as a condition of the receipt of an incentive covered by this Instruction, each recipient shall be required to sign a written agreement stating that the member has been advised of and understands the conditions under which continued entitlement to unpaid incentive amounts shall be terminated and which advance payments may be recouped. That agreement shall clearly specify the terms of the Reserve Service commitment that authorizes the payment of the incentive to the member.
2. Memorandum, Subject: The ARNG SRIP Policy for Fiscal Year 2020, Policy Number 20-01 states, the NPSEB is authorized in accordance with Title 37 United States Code, Chapter 5, Subchapter II and DODIs 1304.31 and 1205.21. Eligibility requires an ASVAB test score of 50 or above. 6 year (3 installments): (Initial) 50 percent processed upon being reported as Duty MOS Qualified (DMOSQ) in unit of assignment and recorded in Guard Incentive Management System. (2nd) 25 percent processed upon 3rd year anniversary calculated by Date of Enlistment and (3rd) 25 percent processed upon 5th year anniversary calculated by Date of Enlistment. Payment will not exceed \$20,000.00.

//NOTHING FOLLOWS//