

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE:

DOCKET NUMBER: AR20230010266

APPLICANT REQUESTS: correction of of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show in item 15c (Enlisted Under Loan Repayment Program): No.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, for the period ending 16 June 2022
- DD Form 4 (Enlistment/Reenlistment Document)
- Annex L to DD Form 4 (Student Loan Repayment Program Addendum, Army National Guard)

FACTS:

1. The applicant states he did not enlist under a loan repayment program (Title 10, U.S. Code, Section 109) and his DD Form 214 should be corrected as it may impact his future eligibility for Post 9/11 GI Bill [benefits]. He did not enlist in the Regular Army (active duty); he enlisted in the Pennsylvania Army National Guard (PAARNG). He is under Title 10 mobilization orders, but he did not enlist on active duty. .

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

a. He enlisted in the PAARNG for 6 years on 23 March 2021. His DD Form 1966 (Record of Military Processing) shows in item 32 (Specific Option/Program Enlisted For):

- Student Loan Repayment Program \$50,000
- NPS (Non-Prior Service) MGIB (Montgomery GI Bill) Kicker \$200
- 6 years 25S (Satellite Communication Systems Operator)
- ELRP 50K, NG MGIBK 200, ARNG Standard Training Program

b. In connection with this enlistment, he authenticated Annex L to DD Form 4 (Student Loan Repayment Program Addendum, Army National Guard) with his signature. This addendum is completed by all persons accepting assignment to the

ARNG with entitlement to the NPS SLRP under the SRIP (Selected Reserve Incentives Program). The original copy of this form (NGB 600-7-5-R-E) will be attached and listed as Annex L on the DD Form 4. He indicated that:

(1) In connection with his enlistment in the ARNG under the authority of U.S. Code Title 10, Section 16301, he acknowledges that he meets the following NPS (non-prior service) SLRP eligibility criteria as per ARNG SRIP in order to receive the incentive.

(2) He has zero disbursed loan(s) existing in the amount of \$0.00. The total amount of repayment for qualifying loan(s) will not exceed \$50,000 with annual repayments of 15 percent or \$500, whichever is greater, plus accrued interest or as established by Law.

(3) He is enlisting into the ARNG for a period of not less than 6 years.

(4) He and a representative authenticated the addendum on 23 March 2021.

c. He entered active duty for training (ADT) on 30 August 2021 and completed training for award of military occupational specialty 25S. He was honorably released from ADT on 16 June 2022. Item 15c of his DD Form 214 shows an "X" in the "Yes" box and the entry "6 years" for "Enlisted Under a Loan Repayment Program (10 USC Chapter 109)?"

3. On 7 February 2024, the National Guard Bureau (NGB) provided an advisory opinion in the processing of this case. An NGB official restated the applicant's request for amendment of his DD Form 214 to reflect "no" in box 15c as to not affect his Post 9/11 GI Bill benefits. The NGB official recommended approval.

a. Soldier states he was enlisted in the PAARNG under 10 USC 16301 Education Loan Repayment Program: Members of the Selected Reserves on 23 March 2021. Soldier's DD Form 214 with separation date 16 June 2022 from active duty training is marked "yes" in box 15 c, enlisted under Student Loan Repayment Program 10 USC Chap 109 which is incorrect. Soldier is concerned this error will affect his Post 9/11 GI Bill benefits accrual and is requesting his DD Form 214 be corrected.

b. After review of the Soldier's records, he did not enlist under 10 USC 109 Student Loan Repayment Program and box 15c was incorrectly marked on his DD Form 214. NGB Education Services confirmed Soldier is accruing post 9/11 GI Bill benefits with no restriction but should have his DD Form 214 corrected as it is a source document for the Veterans Affairs Post 9/11 GI Bill program. Soldier did enlist under 10 USC 16301 Education Loan Repayment Program: Members of the Selected Reserve which would

not affect his post 9/11 GI Bill benefits accrual. Box 15c on his DD 214 should have “no” marked off.

c. It is the recommendation of this office that the applicant’s request be approved. Soldier did not enlist under 10 USC chapter 109 Student Loan Repayment Program and box 15c on Soldier’s DD Form 214 with a separation date 16 June 2022 was incorrectly marked and should be corrected.

4. The applicant was provided with a copy of this advisory opinion to give him an opportunity to provide comments and/or respond. He did not respond.

5. By regulation (AR 635-8), Block 15c (Enlisted Under Loan Repayment Program) is determined by reviewing the original enlistment contract. Enter “Yes” or “No;” if yes, also enter the number of years active duty commitment from that initial enlistment contract.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, 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 National Guard Bureau’s advisory opinion finding the applicant did not enlist under the Student Loan Repayment Program and box 15c of his DD Form 214 was incorrectly marked. Based on this, the Board determined that relief was appropriate as a matter of error.

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 Army records of the individual concerned be corrected by amending his DD Form 214, for the period ending 16 June 2022 to show in item 15c (Enlisted Under Loan Repayment Program): No.

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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 635-8 (Separation Processing and Documents) states the DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The DD Form 214 is not intended to have any legal effect on termination of a Soldier's service. The instructions for Block 15: (Source of Commission or Loan Repayment Information) are as follows:

a. Block 15a: Commissioned through Service Academy. Enter "Yes" or "No."

b. Block 15b: Commissioned through ROTC Scholarship. Enter "Yes" or "No."

c. Block 15c: Enlisted under Loan Repayment Program. Determined by reviewing the original enlistment contract. Enter "Yes" or "No." If yes, also enter the number of years active duty commitment from that initial enlistment contract.

2. Title 10, U.S. Code, chapter 109 (Educational Loan Repayment Programs) encompasses the following sections:

- § 2171. Education loan repayment program: enlisted members on active duty in specified military specialties
- [§ 2172. Renumbered § 16302]
- § 2173. Education loan repayment program: commissioned officers in specified health professions
- § 2174. Interest payment program: members on active duty

3. Title 10, U.S. Code, section 16301 (Education loan repayment program: members of Selected Reserve): Subject to the provisions of this section, the Secretary of Defense may repay certain loans made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.); made under part D of such title (the William D. Ford Federal Direct Loan Program, 20 U.S.C. 1087a et seq.); made under part E of such title (20 U.S.C. 1087aa et seq.); or any loan incurred for educational purposes made by a lender that is defines in this section. Repayment of any such loan shall be made on the basis of each complete year of service performed by the borrower.

//NOTHING FOLLOWS//