ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [redacted]

BOARD DATE: 20 March 2025

DOCKET NUMBER: AR20230014309

APPLICANT REQUESTS: payment of his student loans with the Student Loan Repayment Program (SLRP) incentive.

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

- DD Form 149 (Application for Correction of Military Record)
- National Guard Bureau (NGB) Form 600-7-5-R-E (Annex L to DD Form 4 SLRP Addendum Army National Guard of the United States (ARNGUS))
- Loan data shows the applicant owes $21,498.47 split between two Consolidated Direct Loans in the amount of $3,209.79 and $18,288.68

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.

2. The applicant states in effect;

- he enlisted in the Army National Guard (ARNG) and received the incentive of the SLRP
- his loan servicer was not paid towards his student loans
- he believes the lack of payments was due to his paperwork being lost through the process

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

- on 20 November 2008, he enlisted in the ARNGUS and in conjunction signed a NGB Form 600-7-5-R-E which shows he was eligible for the SLRP to pay his existing loan in the amount of $100,000.00 not to exceed $20,000.00, to terminate at the end of his contractual obligation

- Loans eligible for the SLRP are:

  - Stafford Loans (subsidized), Stafford Loans (unsubsidized)
  - Federally Insured Student Loans
  - Perkins Loans, Auxiliary Loans to Assist Students (ALAS)
  - Supplemental Loans for Students (SLS)
  - Consolidated Loan Program (CLP) and (SMART)
  - William D. Ford Federal Direct Loan Program

- the applicant was ordered to active duty for training on 28 July 2009 and honorably released on 11 February 2010
- on 6 August 2014 the applicant reenlisted/extended in the ARNGUS for 6-years with a new Expiration Term of Service (ETS) date of 19 November 2020
- on 24 October 2016, the applicant was ordered to active duty in an Active Guard/Reserve (AGR) status by Orders Number 295-001 dated 21 October 2016
- on 2 September 2020, the applicant reenlisted/extended for 6-years in the ARNGUS for a new ETS date of 19 November 2026
- the applicant remains on AGR status

4. On 30 September 2024, in the processing of this case, the NGB, provided an advisory opinion regarding the applicant's request to have his student loans paid through the SLRP. The advisory official recommended disapproval of his request. The applicant enlisted in the ARNGUS on 20 November 2008 for 6-years with a SLRP to pay an existing loan(s) up to $20,000.00. The applicant's contract obligation end date was 19 November 2014. At the start of the contract, he was eligible to receive payments on eligible loans for Fiscal Years 10 through 15. The loans he had at the time of the start of the contract were ineligible for payments because they were paid in full through a consolidation loan on 24 July 2006. He acquired two consolidation loans on 12 February 2013 and these were also ineligible for repayment.

5. On 30 September 2024, the Army Review Boards Agency, Case Management Division, provided the applicant the advisory opinion for review and comment. The applicant did not respond.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The Board carefully considered the applicant's record of service, and National Guard Bureau advisory opinion, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant’s petition, available military records and National Guard Bureau advisory opinion, the Board concurred with the advisory official finding the applicant was ineligible for payments because the loans he had at the time of the start of the contract

were paid in full through a consolidation loan on 24 July 2006. He acquired two consolidation loans on 12 February 2013, and these were also ineligible for repayment. Regulatory guidance provides that reimbursement will not be made for any payment against the student loan that has been made by the Soldier, another individual, or any agency. The Board determined the evidence presented does not demonstrate the existence of a probable error or injustice, as such the request is denied.

2. The applicant's request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

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 that the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

X //SIGNED//

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. Title 10, USC, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.

2. National Guard Regulation 600-7 (Selected Reserve Incentives Programs (SRIP)) in effect at the time, prescribes policies and procedures for the administration of the Army National Guard of the United States (ARNGUS) incentive programs; SLRP.

a. Paragraph 1-9 (Educational Requirements), the Enlistment Bonus (EB) and the Student Loan Repayment Program (SLRP) incentives may be granted to Soldiers who meet the educational eligibility criteria and who have the credentials of a secondary school graduate as defined in the glossary under educational levels.

b. Paragraph 5-2 (Eligibility requirements), effective 1 October 1998 the Student Loan Repayment Program is offered, for the initial contract period only, to a non-prior service applicant who meets the following requirements:

- Enlists for 6X2 or 8XO
- Has an Armed Forces Qualification Test of 50 or higher
- Have existing loans at the time of their enlistment, loans established after the date of enlistment are not eligible for SLRP
- Is a secondary school graduate as defined in the consolidated glossary
- Enlists in a unit identified for SLRP
- Completes Initial Active Duty for Training and is awarded the contracted MOS as primary
- Is assigned to a valid position vacancy
- Is not enlisting for an AGR Title 10 or Title 32 tour nor for a military technician position
- Completes a Student Loan Repayment Addendum as part of the enlistment contract at time of enlistment

c. Paragraph 5-3 (Eligible loans and entitlement), loans that are eligible for repayment must be guaranteed under Part B of the Higher Education Act of 1965 or under Part E of the Act after 1 October 1975. These loans include:

- Stafford Loans (subsidized).
- Stafford Loans (unsubsidized).
- Federally Insured Student Loans (FISL)
- Perkins Loans (formerly NDSL).

- Auxiliary Loans to Assist Students (ALAS)
- Supplemental Loans for Students (SLS)
- Consolidated Loan Program (CLP) and (SMART)
- William D. Ford Federal Direct Loan Program

Reimbursement will not be made for any payment against the student loan that has been made by the Soldier, another individual, or any agency. the Student Loan Repayment Program is only authorized for the initial contracted period of service shown on the DD Form 4.

3. AR 601-210 (Regular Army and Reserve Components Enlistment Program) prescribes eligibility criteria governing the enlistment of persons, with or without prior service (PS), into the Regular Army (RA), the U.S. Army Reserve (USAR), and the Army National Guard (ARNG). Paragraph 9-9 (Enlistment Program 9C, U.S. Army Incentive Enlistment Program (Enlistment Bonus, Army College Fund, Loan Repayment Program)), this program is available to qualified NPS, PS, and ACASP applicants enlisting for the minimum term of enlistment, when authorized by HQDA enlistment incentives message. Previously disenrolled SROTC cadets who were scholarship recipients are not entitled to incentives.

//NOTHING FOLLOWS//