

IN THE CASE OF: [REDACTED]

BOARD DATE: 11 June 2025

DOCKET NUMBER: AR20240001599

APPLICANT REQUESTS: partial payment of his 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-(CM) Annex L to DD Form 4 or DA Form 4836 - Current Member (CM) SLRP Addendum - Army National Guard (ARNG) of the United States dated 13 November 2015, which states, before his yearly CM SLRP payment(s) will be processed:
 - The applicant must not currently be under a Suspension of Favorable Personnel Actions (SFPA)
 - he would remain eligible for CM SLRP payment if he received a SFPA flag code of 'J' (Army Physical Fitness Test (APFT) or 'K' (Army Body Composition Program (ABCP) once the flag was removed
 - Exception: Consecutive APFT failures will result in termination of this CM SLRP contract

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 his previous contract with [REDACTED] Army National Guard ([REDACTED] ARNG), he had a bonus [incentive] of the SLRP
- During that time, he did not meet the requirements to keep the bonus, but before the bonus was terminated, there should have been a payment to his student loans

- He believes that he is due a payment to his student loans for the time before his SLRP was terminated
- He was within good standing, regarding the contractual obligation of the SLRP before being terminated from the program due to 2 record failed Army Combat Fitness Tests

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

- On 8 January 2010, the applicant enlisted in the [REDACTED] ARNG for 6 years
- On 23 February 2010, he entered active duty
- On 9 July 2010, he was released from active duty and transferred to the [REDACTED] ARNG; DD Form 214 (Certificate of Release or Discharge from Active Duty), item 11 (Primary Specialty) shows 42A (Human Resources Specialist)
- On 13 November 2015, DA Form 4836 (Oath of Extension of Enlistment or Reenlistment) shows his current Expiration Term of Service (ETS) as 7 January 2016 and he extended in the [REDACTED] ARNG for 6 years; in connection with the extension NGB Form 600-7-5-R-E states:
 - He had 5 disbursed loan(s) in the amount of \$19,839.00 that have been approved in the Guard Incentive Management System by his current assigned State Incentive Manager/SLRP Manager prior to executing this affiliation contract
 - The first payment date on his CM SLRP reenlistment/extension contract will be 1 year from the CM SLRP contract start date (Day after his current ETS)
 - He was reenlisting/extending in the ARNG for the 6-year \$50,000.00 Duty Military Occupational Specialty Qualified in MOS 42A CM SLRP
 - The applicant will receive anniversary CM SLRP payments that will not exceed 15 percent or \$500 (whichever is greater) of the initial disbursed amounts that were approved upon his CM SLRP reenlistment/extension date to include accrued interest not to exceed \$7,500.00 per year
 - The applicant would remain eligible for CM SLRP payment if he received a SFPA flag code of 'J' (APFT) or 'K' (ABCP)
 - Exception: Consecutive APFT failures will result in termination of this CM SLRP contract
- On 21 May 2021, he extended for 6 more years
- The applicant is currently serving in the [REDACTED] ARNG

4. On 23 December 2024, the NGB, Chief, Special Actions Branch, provided an advisory opinion for this case and recommended approval. The NGB advisory official stated:

a. The applicant states that he signed a SLRP incentive in the [REDACTED] ARNG in 2015. He requests the eligible payments towards the loan that he never received.

b. The applicant's records show that he signed a SLRP Addendum on 13 November 2015. The contract fell into a 'monitor rule fail' on 25 March 2017 as a result of two consecutive APFT failures. The first APFT failure was on 4 November 2017, and his second failure was on 9 October 2018. However, according to the addendum, the first payment was due on 8 January 2018. At the time of the first payment, the applicant was still eligible for payment.

c. NGB Form 600-7-5 Section III paragraph 2(c) states that the applicant will remain eligible for CM SLRP payment if he receives a SFPA flag code on 'J' (APFT) or 'K' (ABCP). The applicant's records show that he was eligible for his first payment of his SLRP bonus in Fiscal Year 2018 (FY18).

d. For these reasons, it is the recommendation of this office that the applicant's request be approved. [REDACTED] ARNG supports the applicant's request for loan repayment for FY18 that he is still owed. The Army National Guard Incentives Branch did not provide input for this recommendation. The [REDACTED] ARNG concurs with this recommendation.

5. On 27 December 2024, the applicant was provided with a copy of the NGB advisory opinion to allow comments or rebuttal. He 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 warranted. The Board carefully considered the applicant's record of service, 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 the National Guard Bureau (NGB), Chief, Special Actions Branch advisory opinion, the Board concurred with the advising official recommendation for approval finding evidence in the applicant's records showing he signed a SLRP addendum in November 2015. The opine noted, the applicant's first payment was due on 8 January 2018, prior to his second APFT failure. The Board found the applicant was eligible for payment.

2. Furthermore, the Board determined based on the advising opine and NGB Form 600-7-5 Section III paragraph 2c, the applicant will remain eligible for CM SLRP payments if he receives a SFPS flag code. The Board found the applicant was in fact eligible for his first payment of his SLRP bonus in Fiscal Year 2018 (FY). Therefore, the Board granted relief for partial payment of the applicant's Student Loan Repayment Program (SLRP) incentive.

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 records of the individual concerned be corrected to show the applicant is authorized partial payment of his Student Loan Repayment Program (SLRP) incentive in Fiscal Year 2018 (FY).

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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. Title 10, U.S. Code, 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. Department of Defense Instruction 1205.21 (Reserve Component Incentive Programs Procedures) requires each recipient of an incentive to sign a written

agreement stating 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. The agreement must clearly specify the terms of the Reserve Service commitment that authorizes the payment of the incentive to the member.

//NOTHING FOLLOWS//