

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 14 January 2025

DOCKET NUMBER: AR20240003156

APPLICANT REQUESTS: to receive Student Loan Repayment Program (SLRP) payments for Fiscal Year (FY) 2017 and 2018 per his SLRP addendum signed 28 July 2016.

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

- DD Form 149 (Application for Correction of Military Record)
- Alabama Army National Guard (ALARNG) Memorandum for Record (MFR) - Subject: [Applicant] SLRP, 31 August 2022
- Email communication, 19 March 2024

FACTS:

1. The applicant states:

a. This request is being submitted to request a Closed Year payment request with the National Guard Bureau (NGB) for SLRP payments in FY17 and FY18. He was informed that he needs a decision from the Board in order to submit the payment to the NGB.

b. An erroneous flag was entered in his profile due to an incorrectly entered DA Form 705 (Army Physical Fitness Test (APFT) Scorecard). This prevented him from applying for contracted and entitled student loan repayment benefits due to administrative errors. By the time the flag was corrected within the digital systems, the SLRP payment year was closed preventing him from receiving due compensation for entitled enlistment benefits.

c. Multiple attempts were made by him to exhaust all administrative outlets within the company, unit, and state incentive program. Due to the retirement of the Alabama state Incentive Manager (IM) the applicant was not able to get in contact with the relevant individual as the phone number was invalid. After the original state IM had been replaced, the applicant again attempted to submit the required SLRP documentation and reconcile the issue to no avail. After the administrative flag was removed the applicant was able to submit the required documentation for all current

SLRP fiscal years, but the window for FY17 and FY18 had closed. Due to the dispersed nature of the state national guard units as well as the limited duty due to the M-day status, the applicant was not able to receive the required information and administrative support needed to resolve the discrepancy earlier.

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

a. On 28 July 2016, he enlisted in the ALARNG. In connection with his enlistment the applicant completed and signed NGB Form 600-7-5-R-E (Annex L to DD Form 4 – SLRP Addendum – Army National Guard (ARNG) of the United States), which states, in pertinent part:

(1) He was enlisting into the ARNG for a period of not less than 6 years for a Critical Skill vacancy in the grade of E-4 or below in a Unit Identification Code and Military Occupational Specialty (MOS) 36B (Financial Management Specialist).

(2) He had 8 disbursed loan(s) existing in the amount of \$20,499.00. The total amount of repayment for qualifying loan(s) will not exceed \$50,000.00 with annual repayments of 15 percent of the balance of the loan(s), plus accrued interest or \$500.00 plus the accrued interest, whichever is greater, as established by Law.

(3) The applicant understood that the ARNG will only repay on loans that are disbursed prior to his date of enlistment. He understands that the SLRP anniversary payment is not processed automatically. He must continue each year to meet all requirements and his qualification has been verified by the State Incentive/SLRP Manager. Additionally, he must submit the appropriate documentation each year to his State Incentive/SLRP Manager.

(4) Anniversary SLRP payments will not exceed 15 percent or \$500.00 (whichever is greater) of the initial disbursed amounts that were approved upon the date of enlistment to include accrued interest. Payments on loans(s) that have a remaining outstanding balance(s) less than the maximum yearly repayment amount will only be eligible for that amount only. Loan(s) that have a zero balance will not be eligible for payment. The maximum annual payment amount will not exceed \$7,500.00 per year.

(5) The applicant understands that SLRP payments are made to financial institutions only and that he shall not be reimbursed any amount(s) paid by him or any other person or agency on his behalf.

(6) The SLRP incentive may be terminated without recoupment if the applicant has two consecutive record APFT failures. The termination date will be effective on the date of the second APFT failure.

b. On 29 September 2016, the Military Entrance Processing Station, Montgomery, AL, published Orders Number 6299004, which ordered the applicant to initial active duty for training with a report date of 24 October 2016.

c. On 21 April 2017, he was released from active duty training and was transferred to the ALARNG. DD Form 214 (Certificate of Release or Discharge from Active Duty) shows he completed 5 months and 28 days net active service this period. Item 11 (Primary Specialty) shows 36B10.

d. On 25 June 2022, he extended for a period of 6 years. DA Form 4836 (Oath of Extension of Enlistment or Reenlistment) shows his new expiration term of service as 27 July 2028.

3. In support of his request the applicant provides:

a. ALARNG MFR - Subject: [Applicant] SLRP, dated 31 August 2022, wherein, the Group Support Battalion, 20th Special Forces Group (Airborne), Admin Noncommissioned Officer stated, this memorandum will serve as verification that two record APFT failures were erroneously inputted into the Digital Training Management System (DTMS) for the applicant. This error has been resolved and DTMS should reflect the correct information.

b. Email communication dated 19 March 2024, wherein, the ALARNG State IM NCOIC stated, they will have to do a Closed Year Payment request with NGB for the applicant's SLRP payments for FY17 and 18. The applicant needed to submit a request to the Army Board for Correction of Military Records (ABCMR) for the payments.

4. On 2 December 2024, the NGB, Chief, Special Actions Branch provided an advisory opinion for the applicant's case and recommended approval. The NGB official stated:

a. The applicant enlisted in the ALARNG with a six-year SLRP incentive. The incentive was established in the Guard Incentive Management System (GIMS) with an eligibility date of payment to be annually on 28 July. The applicant received payments for FY19 through FY22 but not FY17 and FY18. The applicant states FY17 and FY18 were not paid due to an erroneous APFT failure.

b. After review of the applicant's submission and coordination with the ALARNG, it was determined that on 2 August 2018 the SLRP contract failed validation in GIMS for two consecutive APFT failures. It was reviewed and determined that one of the failed APFTs was erroneously marked "FOR RECORD". The necessary corrections were made by the applicant's unit and the applicant was able to receive payments for FY19 through FY22 but was directed to the ABCMR by the state IM as FY17 and FY18 are unable to be paid out as they are closed years.

c. It is the recommendation of this office that the applicant's request be approved. The applicant met the requirements per his SLRP addendum to receive FY17 and FY18 payments on his approved student loans and an ABCMR decision is required to make closed year payments on his incentive. The ALARNG concurs with this advisory opinion and provided a memorandum stating the APFT failure was erroneously marked "FOR RECORD."

5. On 3 December 2024, the applicant was provided with a copy of the NGB advisory opinion to allow for comments or rebuttal. He did not respond.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documentation and the findings and recommendations outlined in the NGB advisory opinion, the Board concluded there was sufficient evidence of an error or injustice warranting a corrective to the applicant's record showing the applicant is eligible to receive Student Loan Repayment Program (SLRP) payments for Fiscal Year (FY) 2017 and 2018 per his SLRP addendum signed 28 July 2016, as long as current balances on loans remain.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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| ■ | ■ | ■ | 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 showing the applicant is eligible to receive Student Loan Repayment Program (SLRP) payments for Fiscal Year (FY) 2017 and 2018 per his SLRP addendum signed 28 July 2016, as long as current balances on loans remain.

[REDACTED]

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), in effect at that time, 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.
2. National Guard Regulation 600-7 (Selected Reserve Incentive Programs (SRIP)), in effect at that time, governs policies and procedures for the administration of the ARNG SRIP programs. Section VII (SLRP), paragraph 2-23 states, Public Law 99-145, section 671(a)(1), and Title 10, U.S. Code (USC), section 16301 authorizes the education loan repayment program for qualified members of Selected Reserve enlisted personnel with loans made, insured, or guaranteed under part B of Title IV of the Higher Education Act of 1965 (Title 20 USC 1071 et seq.), any loan made under part D of such title (Title 20 USC 1087a et seq) or any loan made under part E of such title (Title 20 USC 1087aa et seq). Repayment of any such loan will be made on the basis of each complete year of service performed by the borrower. Soldier must meet the eligibility criteria in accordance with governing law, DODI, Department of the Army, ARNG regulations or as outlined in the current FY SRIP policy.

//NOTHING FOLLOWS//