

IN THE CASE OF: [REDACTED]

BOARD DATE: 24 January 2025

DOCKET NUMBER: AR20240004893

APPLICANT REQUESTS: to receive payment in the amount of \$8000.00 from the Student Loan Repayment Program (SLRP) for the years of 2008 and 2009.

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

- DD Form 149 (Application for Correction of Military Record)
- Self-Authored Letter
- National Guard Bureau (NGB) Form 600-7-5-R-E (Annex L to DD Form 4 (Enlistment/Reenlistment Document) SLP Addendum)
- Loan Details
- DD Form 214 (Certificate of Release or Discharge from Active Duty)

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 it has been a long process to reconcile this repayment situation, and he hopes the Board will help him find closure. His SLP was not complete when he exited the Army. His contract says, he is eligible for \$20,000 in total repayment to be disbursed every two years over his six year contract. However, they [University] discovered two years were not paid, leaving \$8,000 still to be paid to the student loans he still bears. He is submitting this application to resolve this error and have the \$8,000 balance on his student loan be paid. As they looked further into the records, they discovered 2008 and 2009 were the exact years that should have been paid, yet there were no payments made. The loans were paid in 2010 to 2013, which he is very grateful it was accounted for in his school records.
3. The applicant provides his loan details from the U.S. Department of Education, who owns his educational debt, which are available for the Board's review.
4. The applicant's service record contains the following documents:

- a. DD Form 4 shows he enlisted in the Army National Guard (ARNG) on 24 August 2007.
- b. NGB Form 600-7-5-R-E (Annex L to DD Form 4 SLRP Addendum), 24 August 2007, shows he enlisted in the ARNG in the military occupational specialty (MOS) of 92A (Automated Logistical Specialists) for the SLRP. He must remain in the MOS for the first three years of his enlistment contract. He has two loans in the amount of \$32,000. The total amount of repayment for qualifying loans will not exceed \$18,000. Each year (90 days before his anniversary date) he will be notified of the requirement to request payment on his loan(s). He is responsible for completing the request for payment.
- c. DD Form 214 (Certificate of Release or Discharge from Active Duty) shows he was ordered to active duty, as a member of the ARNG, for initial active duty training on 23 October 2007 and he was released on 7 April 2008. He completed 5 months and 15 days of net active service.
- c. Orders 067-268, published by U.S. Army Combined Arms Support Command and Fort Lee, 7 March 2008, awarded him the MOS of 92A effective 7 April 2008 or upon course completion.
- d. DD Form 214 (Certificate of Release or Discharge from Active Duty) shows he was ordered to active duty as a member of the ARNG, in MOS 92A, in support of Operation Enduring Freedom on 15 May 2012. He was honorably released from active duty on 28 February 2013 upon the completion of his required active service. He completed 1 year, 1 month, and 16 days of net active service.
- e. NGB Form 22 (Report of Separation and Record of Service) shows he was honorably transferred to U.S. Army Reserve (USAR) Control Group (Individual Ready Reserve) on 23 August 2013 for expiration of active status commitment in the Selected Reserve.
- f. Orders D-08-517173, published by U.S. Army Human Resources Command, 25 August 2015 honorably discharged him from the USAR effective 25 August 2015.
- g. The applicant's service record is void of information regarding payment of his student loans.

5. On 23 December 2024, the Chief, Special Actions Branch, NGB provided an advisory opinion, which states:

- a. The applicant requests payment of SLRP of \$8,000 for fiscal years (FY) 2008 and 2009. NGB recommended partial approval of his request.

b. He enlisted in [REDACTED] ARNG ([REDACTED] ARNG) on 24 August 2007 with a SLRP addendum of up to \$18,000 for 6 years to be paid annually on his anniversary date. He stated he received three payments. Payments were disbursed in FY 2010, 2011, and 2012; however, payments were not made in FYs 2008 and 2009.

c. He was eligible for payments from FY 2008 through FY 2013. The [REDACTED] ARNG confirmed payment completion with both the applicant and the Guard Incentive Management Systems (GIMS) data for FYs 2010, 2011, 2012, and 2013. GIMS data and the applicant confirm FYs 2008 and 2009 were not processed. On 11 September 2013, the [REDACTED] ARNG Incentives Manager sent the applicant correspondence in accordance with the addendum and effective Selective Reserve Incentive Program (SRIP) policy requesting the applicant provide payment requests for FYs 2008-2013. The applicant had two eligible loans for payment in FY 2008 and 2009. All other loan data provided were ineligible.

d. After a review of the information provided by the applicant and the [REDACTED] ARNG, it is the recommendation of NGB that his request be partially approved. In accordance with the ARNG SRIP Guidance for FY 2007, 10 August 2007 - 31 March 2008, and pursuant to the addendum, the applicant should receive SLRP payments for eligible loans in FY 2008 and 2009, not to exceed \$6,000, exact amounts to be determined by Defense Finance Accounting Service.

e. This advisory opinion was coordinated with the [REDACTED] ARNG.

6. On 14 January 2025, the advisory opinion was provided to the applicant to allow him the opportunity to respond. 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 partial 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 evidence of record shows the applicant enlisted in the Army National Guard on 24 August 2007. In connection with his enlistment, he and a service representative authenticated a Student Loan Repayment Program (SLRP) Addendum indicating he had two dispersed loans. The Board reviewed the advisory opinion provided by Chief, Special Actions Branch, National Guard Bureau indicating the applicant's request be partially approved and he should receive payments for eligible loans in Fiscal Years 2008 and 2009, not to exceed \$6,000, the exact amounts to be determined by the Defense Finance and Accounting Service. The Board concluded based on this, partial relief was appropriate.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

: : : GRANT FULL RELIEF

 GRANT PARTIAL RELIEF

: : : GRANT FORMAL HEARING

: : : DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for partial 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 timely submitted an exception to the National Guard Bureau (NGB) for payment of his authorized loans, based on his 24 August 2007 Student Loan Repayment Program Addendum
- showing the NGB timely received, processed, and approved his exception to policy
- payment of his loans for FY 2008 and 2009, not to exceed \$6,000, provided all other criteria is met

2. The Board further determined that the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to any relief in excess of the above.

5/5/2025

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.

ADMINISTRATIVE NOTE(S):

A review of the applicant's service record shows he received a DD Form 214 for the period ending 7 April 2008 as a member of the ARNG to complete initial active duty training wherein he received the MOS of 92A, and his character of service was uncharacterized.

Correct his DD Form 214 for the period ending 7 April 2008 to show his character of service was honorable as he is an ARNG Soldier who completed initial active duty training and received an MOS.

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. Army Regulation 601-210 (Active and Reserve Components Enlistment Program) provides that if the Soldier is authorized to continue under the SLRP, a new DA Form 5261-4-R (Student Loan Repayment Program Addendum) or NGR 600-7-5-R-E must be prepared; however, this act does not create a new entitlement, but continues the Soldier in the existing entitlement amount as listed on the original contract. The new document will be prepared in the gaining unit.
3. Army Regulation 135-7 (Incentive Programs), restricts the SLP to those Reservists who either enlist, reenlist, or extend for a skill or unit approved by the Department of the Army and disseminated to the field by a list of MOSs and units, which is updated every 6 months. This educational incentive may only be elected at the time of enlistment, reenlistment, or extension, and a SLP Addendum must be executed at that time. To be eligible for the SLP incentive, a person must contractually obligate himself/herself to serve satisfactorily, must serve in a Reserve unit for a full term of the contractual agreement, and must further obligate himself or herself to continue to serve in the same component and the same MOS unless excused for the convenience of the Government. Each completed satisfactory year of service performed under this SLP agreement establishes an anniversary date. Any qualifying loan that is at least 1-year old may then be paid in accordance with the terms of this educational enlistment incentive. Loan repayment up to \$10,000.00 is offered to a Soldier who contracts for an MOS that has been authorized by HQDA for the SLP incentive. There are no provisions to reinstate an incentive after it is terminated for cause. A Soldier's eligibility for incentives or entitlements based on Selected Reserve service will terminate on release from the Selected Reserve.

//NOTHING FOLLOWS//