

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 July 2025

DOCKET NUMBER: AR20240005159

APPLICANT REQUESTS: in effect, remuneration of the second payment of his Army National Guard (ARNG) Selective Reserve Incentive Policy (SRIP) reenlistment bonus (REB).

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

Online Application in lieu of DD Form 149 (Application for Correction of Military Record), 30 April 2024

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 he received a memorandum from the National Guard Bureau (NGB) that he did not receive his SRIP REB. He is not sure if it was an error or not.
3. The applicant is currently assigned to the Georgia ARNG (GAARNG).
4. A review of the applicant's service records show the following:
 - a. On 18 June 2008, he enlisted in the GAARNG for 8 years.
 - b. On 18 July 2013, he executed an oath of extension of his enlistment for 6 years and 17 days.
 - c. A NGB Form 600-7-3-R-E (Annex to DD Form 4 or DA Form 4836 REB Addendum) reflects he:
 - reenlisted in military occupational specialty 35F (Intelligence Analyst) for 6 years

- understood he would receive a total bonus of \$10,000.00 to be paid in two installments; 50% paid on the day after his current expiration term of service; 50% paid on the fourth year anniversary
- he would be eligible for continued receipt of his SRIP REB if he accepted a temporary military technician (MilTech) status assignment for less than 180-days in any continuous 12-month period

d. A GAARNG memorandum for record reflects the applicant was a MilTech from 23 September 2013 to 22 August 2015 (699 days) and from 5 October 2015 to 30 November 2015 (37 days).

5. A Joint Force Headquarters, GAARNG email, dated 31 January 2025, concurred with the applicant's request and recommended full relief.

6. On 20 February 2025, the NGB provided an advisory opinion recommending disapproval of the applicant's request in response to his issues. The memorandum is available for Board review. It reads, in part he:

- signed a REB Addendum with the GAARNG on 18 July 2023 and did not receive the second half of his bonus because he went into a temporary military technician status
- review of Guard Incentive Management System (GIMS) reflects he was terminated from SRIP REB because he was in a MilTech status
- as per GIMS his contract was terminated without recoupment, effective 18 January 2015 while he was still in a MilTech status for 180 days or more

7. The applicant was provided a copy of this advisory opinion on 27 February 2025, to provide him an opportunity to comment and/or submit a 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 not 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 – Special Actions Branch advisory opinion, the Board concurred with the advising recommendation for disapproval finding the applicant's REB contract was terminated effective 18 January 2015 due to exceeding the allowable MilTech duration.

2. The Board noted that the Guard Incentive Management System (GIMS) reflects that the termination was processed without recoupment, in accordance with policy. Although a Joint Force Headquarters, GAARNG email dated 31 January 2025 recommended full relief, the Board determined that the NGB advisory opinion and GIMS records provide sufficient justification for termination of the incentive. The applicant's record shows he was assigned to the Georgia Army National Guard (GAARNG) and served in a military technician (MilTech) status from 23 September 2013 to 22 August 2015 (699 days), and again from 5 October 2015 to 30 November 2015 (37 days). Furthermore, the REB Addendum the applicant signed clearly stated that eligibility for continued receipt of the bonus required that any MilTech assignment be temporary and not exceed 180 days in any continuous 12-month period. Based on the evidence in the applicant's record and the advising official, the Board denied relief.

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 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, U.S. Code (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. Title 37, USC, section 331 (General bonus authority for enlisted members) provides that, the Secretary concerned may pay a bonus under this section to a person, including a member of the armed forces, who (1) enlists in an armed force; (2) enlists in or affiliates with a reserve component of an armed force; (3) reenlists, voluntarily extends an enlistment, or otherwise agrees to serve for a specified period in a designated career field, skill, or unit of an armed force.
3. Department of Defense Instruction (DoDI) 1205.21 (Reserve Component Incentive Programs Procedures) paragraph 6.2 states, as a condition of the receipt of an incentive covered by this Instruction, each recipient shall be required to sign a written agreement stating that 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. That agreement shall clearly specify the terms of the Reserve Service commitment that authorizes the payment of the incentive to the member.

3. National Guard Bureau Selective Reserve Incentive Policy Service Reenlistment Incentive Policy Memorandum, dated 22 May 2014, subject: FY 14 SRIP Endorsement, provided:

a. Paragraph 23. Termination without Recoupment. If entitlement to an incentive is terminated for any reason before the fulfillment of the service described in the Officer's / Soldier's written addendum/agreement, the Officer/Soldier shall not be eligible to receive any further incentive payments, except for payments for service performed before the termination date.

b. An Officer / Soldier accepting an AGR or Permanent, Indefinite MilTech position where membership in a Reserve Component is a condition of employment (includes a temporary technician on tour for 180 days or more in a continuous 12-month period) and has served 1 or more days in the losing Selected Reserve status (i.e., 1 or more days on or after the contract effective start date of the contract). The effective date of termination is 1 day prior to the start date of entering the Army Guard Reserve or MilTech program. Note: The Human Resource Memorandum must be uploaded into GIMS to confirm the not to exceed dates of the temp position and the number of days within a continuous 12-month period. Note: This incurs a loss of all future payment(s).

4. The Barring Act, Title 31, USC, section 3702 states that the Secretary of Defense shall settle claims involving uniformed service members' pay, allowances, travel, transportation, payments for unused accrued leave, retired pay, and survivor benefits. A claim against the Government presented under this section must contain the signature and address of the claimant or an authorized representative. The claim must be received by the official responsible under subsection (a) for settling the claim or by the agency that conducts the activity from which the claim arises within 6 years after the claim accrues. A claim that is not received in the time required under this subsection shall be returned with a copy of this subsection, and no further communication is required.

//NOTHING FOLLOWS//