

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 11 July 2025

DOCKET NUMBER: AR20240005208

APPLICANT REQUESTS: payment of the remainder of his \$7,500.00 Non-Prior Service Enlistment Bonus (NPSEB).

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 4 (Enlistment/Reenlistment Document – Armed Forces of the United States), 21 August 2014
- National Guard Bureau (NGB) Form 600-7-1-R-E (Annex E to DD Form 4 NPSEB Addendum Army National Guard of the United States (ARNGUS)), 21 August 2014
- DD Form 214 (Certificate of Release or Discharge from Active Duty) service ending 26 August 2015
- Texas (TX) Military Department TXARNG Orders Number 228-083, 16 August 2018
- NGB Form 22 (Report of Separation and Record of Service) service ending 15 August 2018

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 enlisted in the ARNGUS for a \$7,500.00 bonus
- He was never paid the second half of the bonus
- His military service was cut short to 4-years due to circumstances out of his control and hardship
- He believes he was not paid his entire bonus due to a clerical error

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

- On 21 August 2014, he enlisted in the ARNGUS; in conjunction with this enlistment, he signed NGB Form 600-7-1-R-E which states:
 - He enlisted in the ARNG for a period not less than 6-years in the Selected Reserves
 - He enlisted for the Military Occupational Specialty (MOS) 25B (Information Systems Operator/Analyst) for a \$7,500.00 NPSEB
 - He would receive the first 50 percent of the NPSEB upon becoming duty MOS qualified
 - He would receive the second 25 percent to be processed on his third anniversary year of his enlistment
 - He would receive the third 25 percent to be processed on his fifth anniversary year of his enlistment
 - He understood his NPSEB would be terminated with recoupment if he:
 - Accrued one or more unexcused absences
 - Became an unsatisfactory participant
 - He had two consecutive record Army Physical Fitness Test (APFT) failures within the contract term, effective date of termination would be the date of the second record APFT failure
 - He understood his NPSEB would be terminated without recoupment if:
 - He was involuntarily separated from the ARNG as a result of unit inactivation, relocation, reorganization, effective date of termination would be the date of discharge
 - He was discharged for a hardship reason in accordance with applicable separation policy and his discharge order has code HA
- On 21 January 2015, he was ordered to initial active duty for training by Orders Number 4237011, dated 25 August 2014
- On 26 August 2015, he was honorably released from active duty and reverted to ARNG control, DD Form 214 shows he was awarded MOS 25B
- On 25 April 2018, he requested transfer to the U.S. Army Reserve (USAR) Control Group (Individual Ready Reserve (IRR)) due to unit reorganization, inactivation or relocation and incompatible occupation (employment conflict)
 - His commander recommended approval of his request for transfer due to physical, mental and financial reasons and unit inactivation
 - In his request, he cited physical and mental health conditions and military service affected his job and income, his request was due to personal hardships

- On 15 August 2018, he was honorably released from the ARNG and assigned to the USAR Control Group (Annual Training) due to incompatible occupation (employment conflict), NGB Form 22 shows he completed 3-years, 11-months, and 25-days of service
- Orders Number 228-083, dated 16 August 2018 which shows incompatible occupation with loss code IJ

4. On 21 March 2025, in the processing of this case, the NGB provided an advisory opinion regarding his request for payment of the remainder of his NPSEB. The advisory official recommended disapproval of his request. A review of his record concluded he received the first installment in the amount of \$3,750.00 but the second and third payments were cancelled due to violation of the terms of his contract when he failed two consecutive APFT failures in July and November 2015. His incentive was terminated with recoupment in the amount of \$2,291.67.

5. On 25 March 2025, the Army Review Boards Agency, Case Management Division, provided the applicant the advisory opinion for review and comment. 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 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 review based on law, policy, and regulation. The evidence of record shows the applicant enlisted in the Army National Guard on 21 August 2014. In connection with his enlistment, he contracted for a bonus incentive in military occupational specialty 25B (Information Systems Operator/Analyst). The applicant failed two consecutive APFTs in July and November 2015. His incentive was terminated with recoupment in the amount of \$2,291.67. The Board agreed with the advisory opinion that his NPSEB was terminated in accordance with the bonus addendum. However, in applying justice the Board noted the applicant's recoupment should be waived. Based on a preponderance of the evidence, the Board denied relief.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:XX	:XX	:XX	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. 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.
2. As it pertains to the applicant's NPSEB recoupment, the Board recommended the applicant's recoupment of his NPSEB be waived.

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, 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 (NGR) 600-7 (Selective Reserve Incentive Programs), prescribes policies and procedures for the administration of the Army National Guard of the United States (ARNGUS) incentive programs. Paragraph 1-20 (Termination), A Soldier's incentive eligibility and entitlement stop when any of the termination reasons listed within the applicable chapters of this regulation apply. Although the Soldier's entitlement to the incentive is terminated, the Soldier's responsibility to serve the current statutory or contractual obligation remains. Once a Soldier has been terminated, reinstatement of eligibility is not authorized. The unit commander or an authorized unit representative will initiate termination procedures when a Soldier is terminated from an incentive. Paragraph 1-25 (Termination with Recoupment of Incentives), b. Termination with recoupment is defined as termination of the incentive with Soldier is entitled to a prorated incentive amount based on the number of months served satisfactorily prior to the incentive termination date. The Soldier may be required to pay funds back to the government or the Soldier may be entitled to a payment. Termination with recoupment will occur, if a Soldier voluntarily separates due to pregnancy, Termination is effective the date of discharge.

//NOTHING FOLLOWS//