

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 July 2025

DOCKET NUMBER: AR20240005247

APPLICANT REQUESTS: remuneration of his non-prior service enlistment bonus (NPSEB) incentive payments.

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

- Online Application in lieu of DD Form 149 (Application for Correction of Military Record), 29 April 2024
- DD Form 214 (Certificate of Release or Discharge from Active Duty), 25 June 2015
- Separation Orders, 6 September 2018
- National Guard Bureau (NGB) Memorandum, 14 March 2024, subject: Notification of Potential Entitlement to Incentive Payment(s)

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 letter from the NGB notifying him he may not have received his entire enlistment incentive before his contract ended. He was instructed to submit an incentive claim with the ABCMR. He is not sure why he did not receive the entire incentive payment.
3. The applicant provides copies of a DD Form 214 for his initial active duty training and a NGB memorandum notifying him of a potential entitlement.
4. He is presently assigned to the California Army National Guard (CAARNG).
5. A review of the applicant's service records show the following:
 - a. On 12 September 2014, he enlisted in the CAARNG for 8 years.

b. His DD Form 1966 (Enlistment Document) reflects he agreed to and was enlisting for training in military occupational specialty 92F (Petroleum Supply Specialist) with an NPSEB incentive.

c. In connection with his enlistment, he completed a NGB Form 600-7-1-R-E (Annex E to DD Form 4 Non-Prior Service Bonus Addendum). This agreement provided, in part, he:

- was required to complete the NPSEB concurrently with his enlistment contract
- would receive three installments totaling \$7,500.00; 50% at signing, 25% on the third year anniversary, and 25% on the fifth year anniversary
- may be terminated from NPSEB incentive eligibility if he had two consecutive Army Physical Fitness Test (APFT) failures within the contract term; the effective date was the date of the second APFT failure

c. On 20 January 2015, he entered active duty for initial training and upon completion was honorably released back to his unit in the CAARNG.

6. On 26 February 2025, the NGB provided an advisory opinion recommending disapproval of the applicant's request in response to his issues. The complete memorandum is available for Board review and reads, in part:

- he enlisted for 6 years as a 92F with an NPSEB incentive of \$7,500.00
- he received his first bonus payment, but subsequent bonus payments were not paid
- the CAARNG concluded his bonus contract should have been terminated with recoupment on 30 April 2016 when he failed his record APFT a second time
- he was in violation of the NPSEB contract when he failed his second APFT

7. The applicant was provided a copy of this advisory opinion on 6 March 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 record and the National Guard Bureau- Special Actions Branch advisory opinion, the Board concurred with the advising official recommendation for disapproval finding the applicant received the initial bonus payment but failed his record APFT a second time on 30 April 2016. This constituted a violation of the NPSEB contract terms, resulting in termination of the incentive. The CAARNG also concluded that the contract should have been terminated with recoupment at that time, although no recoupment action was initiated.

2. The Board noted, the applicant enlisted in the California Army National Guard (CAARNG) on 12 September 2014 for an 8-year term in military occupational specialty (MOS) 92F (Petroleum Supply Specialist), with an NPSEB incentive agreement. He signed a valid NGB Form 600-7-1-R-E, which outlined the bonus structure: 50% at contract execution, 25% on the third anniversary, and 25% on the fifth anniversary. The Board determined the applicant's agreement specified that the incentive could be terminated if the applicant failed two consecutive Army Physical Fitness Tests (APFTs) during the contract period. The Board acknowledged the applicant's continued service and the lack of clarity surrounding the initial notification, however, the terms of the NPSEB agreement were clear and binding. The failure to meet the physical fitness requirements as outlined in the contract rendered the applicant ineligible for further bonus payments. Therefore, the Board denied relief for remuneration of the remaining NPSEB incentive payments.

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, 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 (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 Memorandum, Subject: Update 2 on the ARNG SRIP Policy Fiscal Year 2014, authorized the NPSEB for prior service enlistment bonus. The table of distribution and allowance provided the bonus amounts and payment schedule for each MOS authorized. The MOS 92F was authorized \$7,500.00 in three payments amounts; 50% at signing, and 25% at 3 and 5 year intervals for successful completion of the non-prior service enlistment bonus agreement.

//NOTHING FOLLOWS//