

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 11 July 2025

DOCKET NUMBER: AR20240006062

APPLICANT REQUESTS: payment of his \$12,000.00 Reenlistment Bonus (REB).

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)
- National Guard Bureau (NGB) Form 600-7-1-R-E (Annex E to DD Form 4 Non-Prior Service Enlistment Bonus Addendum Army National Guard of the United States (ARNGUS)), 22 December 2008
- DD Form 214 (Certificate of Release or Discharge from Active Duty) service ending 21 November 2009
- DA Form 4836 (Oath of Extension of Enlistment or Reenlistment), 14 December 2014
- DA Form 4836, 15 December 2015
- DA Form 4836, 28 January 2016
- NGB Form 600-7-3-R-E (Annex R to DD Form 4 or DA Form 4836 REB Addendum), 28 January 2016
- DA Form 4836, 11 February 2022
- Puerto Rico (PR) Army National Guard (ARNG) Orders Number 3773752
- Headquarters, III Corps and Fort Hood Orders Number 083-0153, 24 March 2023
- DD Form 214 service ending 29 April 2023
- PR ARNG Orders Number 5697831
- PR ARNG Orders Number 5770700

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, the NGB conducted a review of his record in Guard Incentives Management System (GIMS) and determined he may not have received his incentive in its entirety prior to his separation.

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

- On 22 December 2008, he enlisted in the ARNGUS
- DD Form 214 shows he was ordered to active duty for training on 15 June 2009 and was honorably released from active duty and revert to ARNG control on 21 November 2009
- On 14 December 2014, he extended his enlistment in the ARNG for 1-year for a new Expiration Term of Service (ETS) of 21 December 2015
- On 15 December 2015, he extended his enlistment in the ARNG for 1-year for a new ETS of 21 December 2016
- On 28 January 2016, he extended his enlistment in the ARNG for 6-years for a new ETS of 21 December 2022
- NGB Form 600-7-3-R-E, dated 28 January 2016 shows in:
 - Section II (Eligibility):
 - Must not be extending for the purpose to qualify for an Active Guard/Reserve (AGR) or Military Technician position
 - He extended Duty military occupational specialty (MOS) qualified in 91B (Wheeled Vehicle Mechanic) for 6-years
 - Section III (Bonus Amount and Payments): \$12,000.00 REB; paid in two installments, the first 50 percent the day after his current ETS and the second 50 percent on his fourth year anniversary
 - Section VI (Termination) 4d states the REB will be terminated without recoupment if he accepted an AGR, permanent/indefinite military technician position that exceed 180-days where membership in the Reserve component was a condition of employment
- On 11 February 2022, he extended his enlistment in the ARNG for 6-years for a new ETS of 21 December 2028
- On 2 June 2022, he was ordered to active duty in support of Operation Enduring Freedom (Spartan Shield) by Orders Number 41-066-0045, dated 7 March 2022
- On 29 April 2023, he was honorably released from active duty and reverted to ARNG control

4. On 8 April 2025, in the processing of this case, the NGB provided an advisory opinion regarding the applicant's request for payment of his REB. The advisory official recommended disapproval of his request. The applicant signed a REB addendum on

28 January 2016 for a 6-year extension in MOS 91B to receive a \$12,000.00 REB. The first installment was to be processed on the day after his current ETS which would have been 22 December 2016. The second installment would have been paid on his fourth year anniversary. The applicant did not receive any portion of his REB. His records shows he accepted a military technician position permanently on 21 March 2016 which was before the contract start date but after the contract was signed. Thus, there was a Monitor Rule Fails error in the Guard Incentive Management System and the REB was not processed.

5. On 17 April 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 reenlisted/extended in the Army National Guard on 28 January 2016. In connection with his reenlistment/extension, he contracted for a bonus incentive in military occupational specialty 91B (Wheeled Vehicle Mechanic). The applicant accepted a military technician position which was in violation of his REB agreement, and his REB was terminated. The Board reviewed and concurred with the National Guard Bureau's advising official finding the applicant accepted a military technician position which violated his REB as his contract suggests. Based on a preponderance of the evidence, the Board denied relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:XX	:XX	:XX	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. National Guard Regulation (NGR) 600-7 (Selective Reserve Incentive Programs) prescribes policies and procedures for the administration of the ARNGUS incentive programs.

a. Paragraph 1-12 (Obligation), an enlisted Soldier must enter into a contractual obligation to serve satisfactorily for the full term of service specified for an incentive program authorized by this regulation.

b. Paragraph 1-24 (Termination), a. A Soldier's incentive eligibility and entitlement stop when any of the termination reasons listed within the applicable chapters of this regulation applies. Although the Soldier's entitlement to the incentive is terminated, the Soldier's responsibility to serve the current statutory or contractual obligation remains. b. Once a Soldier has been terminated, reinstatement of eligibility is not authorized. c. The unit commander or an authorized unit representative will initiate termination procedures when a Soldier is terminated from an incentive.

c. Paragraph 1-26 (Termination without recoupment), the conditions under which termination without recoupment of incentives is warranted and also the applicable program chapters and sections of this regulation. The effective date of the termination will be the effective date of the action. Payments due prior to the effective date will be paid to the Soldier. Payments due after the effective date of the action will be canceled and will not be paid to the Soldier. Discharged due to hardship reasons. The termination date is the date of discharge.

3. Title 37 USC, section 331 (General bonus authority for enlisted members), (a The Secretary concerned may pay a bonus under this section to a person, including a member of the armed forces, who:

- enlists in an armed force
- enlists in or affiliates with a reserve component of an armed force
- 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
- under other conditions of service in an armed force

//NOTHING FOLLOWS//