

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 13 March 2025

DOCKET NUMBER: AR20240007309

APPLICANT REQUESTS: payment of his Non-Prior Service Enlistment Bonus (NPSEB).

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

- DD Form 149 (Application for Correction of Military Record)
- National Guard Bureau (NGB) Form 600-7-1-R-E (Annex E to DD Form 4 Non-Prior Service Bonus Addendum Army National Guard (ARNG)), 26 November 2014
- NGB Form 22 (Report of Separation and Record of Service) for the period ending 26 November 2020

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 error or injustice to his military records that needs to be corrected is his unreceived NPSEB with the bonus control number of 46294XX.
3. A review of the applicant's official record shows the following:
 - a. On 26 November 2014, the applicant enlisted in the Virginia Army National Guard (VAARNG) for a period of 6-years. In conjunction with this enlistment NGB Form 600-7-1-R-E shows he was Non-Prior Service enlisting in Military Occupational Specialty (MOS) 25L (Cable Systems Installer/Maintainer). He would occupy a primary valid vacant position for a 6-year enlistment for which he would receive \$12,500.00 and he would forfeit 50 percent if he did not ship for his Initial Active Duty for Training (IADT). If he failed to become fully qualified in an Army MOS within 24-months of his enlistment the incentives would be terminated without payment. He would; however, receive the first 50 percent installment upon completion and verification of his MOS qualification for which he enlisted. The second 25 percent installment would be processed on his third

year anniversary of his enlistment date with the third and final 25 percent installment to be paid on his fifth year anniversary.

c. On 2 March 2015, Orders Number 5070016, issued by the Military Entrance Processing Station, the applicant was ordered to IADT; to attend Basic Combat Training with a report date of 11 March 2015 and to attend Advanced Individual Training with a report date of 26 May 2015.

d. DD Form 214 (Certificate of Release or Discharge from Active Duty) shows he entered active duty this period on 11 March 2015 and was honorably released from active duty training on 6 August 2015 for completion of required active service. It also shows he completed 5-months and 26 days of active service and in item 11 (Primary Specialty): 25L.

e. Enlisted Record Brief dated 7 August 2017, shows the applicant's primary MOS as 25L and no bonus eligibility.

f. NGB Form 22 shows he entered service this period on 26 November 2014 and was released from the VAARNG with an honorable characterization of service and transferred to the U.S. Army Reserve Control Group (Annual Training). It also shows he completed 6 years of service this period. He was assigned reenlistment eligibility code of RE-1 and the authority and reason for separation is listed as National Guard Regulation 600-200 (Enlisted Personnel Management), Completion 6 year ready obligation.

g. Orders Number 0010527212 dated 17 December 2024, issued by the Department of the Army honorably discharged him from Individual Ready Reserve, effective 25 November 2022 for expiration term of service.

4. On 3 March 2025, in the processing of this case, the NGB, provided an advisory opinion regarding the applicant's request for payment of his NPSEB.

a. The advisory official recommended partial approval of his request. The applicant enlisted in the VAARNG with a \$12,500.00 MOSQ bonus for 26 November 2014 to 25 November 2020 signed 26 November 2014. Bonus was established in the Guard Incentive Management System (GIMS) with eligibility dates of payments to be 7 August 2015 for \$6,250.00, 26 November 2017 for \$3,125.00 and 26 November 2019 for the final \$3,125.00. All three payments were cancelled, and the applicant received no payments for this NPS bonus.

b. After review of the applicant's record, the applicant received no payments. The applicant failed two consecutive Army Physical Fitness Test (APFT) in October 2015 and April 2016. The effective date of termination would be the date of the second

consecutive failed APFT in accordance with section IV paragraph (1)(i) of the applicant's bonus addendum. The applicant completed 17 months of the incentive and is entitled to \$2,777.78.

c. It is the recommendation of this office that the applicant's request be partially approved. The applicant met the requirements per his bonus addendum for 17 months from 26 November 2014 until his second consecutive APFT failure in April 2016. The applicant should be paid \$2,777.78. The Virginia Army National Guard concurs with this advisory opinion.

5. On 4 March 2025, the Army Review Boards Agency, Case Management Division, provided the applicant the advisory opinion for review and comment.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documentation, the findings and recommendations outlined in the NGB advisory opinion, and the lack of any rebuttal of those findings and recommendations submitted by the applicant, the Board concluded there was sufficient evidence to pay the applicant \$2,777.78 of his NPSEB bonus.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
:XXX	:XXX	:XXX	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 Army records of the individual concerned be corrected by paying the applicant \$2,777.78 of his NPSEB bonus.
2. The Board further determined 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 paying any more of the NPSEB bonus not reflected above.

//SIGNED//

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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 600-7 (Selected reserve Incentive Programs), in effect at the time, prescribes policies and procedures for the administration of the Army National Guard of the United States incentive programs. Paragraph 2-2 (NPSEB) states, in pertinent part, these bonuses are payable based on the following: (1) The initial payment per contractual agreement at the time of enlistment will be paid when the Soldier - (a) Has met the educational requirements of a secondary school graduate as defined in the glossary. (b) Has completed Initial Active Duty for Training. (c) Is qualified for and has been awarded the MOS initially contracted for as their primary MOS. (2) The remaining balance of the Soldier's bonus will be paid on the schedule per the contractual agreement at the time of enlistment unless changed by law.
3. Department of Defense Instruction 1205.21 (Reserve Component Incentive Programs Procedures) requires each recipient of an incentive to sign a written agreement stating 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. The agreement must clearly specify the terms of the Reserve Service commitment that authorizes the payment of the incentive to the member.

4. Title 31 U.S. Code, section 3702, also known as the barring act, prohibits the payment of a claim against the Government unless the claim has been received by the Comptroller General within 6 years after the claim accrues. Among the important public policy considerations behind statutes of limitations, including the 6-year limitation for filing claims contained in this section of Title 31, USC, is relieving the government of the need to retain, access, and review old records for the purpose of settling stale claims, which are often difficult to prove or disprove.

//NOTHING FOLLOWS//