

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 28 August 2025

DOCKET NUMBER: AR20240008207

APPLICANT REQUESTS: payment of his \$5,000.00 Reenlistment Bonus (REB).

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

- DD Form 149 (Application for Correction of Military Record)
- State of North Carolina (NC) Office of the Adjutant General Orders Number 299-026, 26 December 2014 shows the applicant was ordered to full time National Guard Duty – Operational Support effective 22 October 2014
- DA Form 4836 (Oath of Extension or Enlistment/Reenlistment), 22 January 2015
- National Guard Bureau (NGB) Form 600-7-3-R-E, 22 January 2015
- NGB Memorandum, 23 May 2016, Subject: Request for Exception to Policy (ETP) for Reenlistment/Extension Bonus (REB) [Applicant]

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 which stated he may be eligible for his REB (control number R1501006XXX), he never received due to obtaining Federal technician employment in 2015.
3. A review of the applicant's service record shows:
 - On 23 July 2009, he enlisted in the Army National Guard of the United States (ARNGUS)
 - On 5 August 2009, he was ordered to initial active duty for training by Orders Number 9209014, 28 July 2009
 - On 16 December 2009, he was honorably released from active duty and reverted to ARNGUS control

- On 17 December 2009, he was awarded the military occupational specialty (MOS) 92Y (Unit Supply Specialist) by Orders Number 356-800, 22 December 2009
- DD Form 214 (Certificate of Release or Discharge from Active Duty) shows:
 - On 25 September 2013 he was ordered to active duty in support of Operation Enduring Freedom
 - On 22 September 2014, he was honorably released from active duty
- On 22 January 2015, he extended his enlistment in the ARNGUS for 3 years for a new expiration of term of service (ETS) of 22 July 2018; in conjunction he signed the NGB Form 600-7-3-R-E with Control Number R1501008XXX, shows in:
 - Section II (Eligibility): he extended Duty MOS qualified in 92Y for 3 years, to be paid \$5,000.00 REB
 - Section III (Bonus Amount and Payments): \$5,000.00 REB; paid in a lump sum effective the day after his current ETS upon verification of his MOS and unit of assignment
 - Section VI (Termination) 4d, eligibility will be terminated without recoupment if he accepts a permanent/indefinite military technician position that exceeds 180 days within a continuous 12-month period where membership in the Reserve Component is a condition of employment
- He had continuous service through extensions and is still serving

4. On 10 April 2025, in the processing of this case, the NGB provided an advisory opinion regarding the applicant's request to retain his \$5,000.00 REB. The advisory official recommended disapproval of his request. The applicant signed a REB addendum on 22 January 2015 for 3-year extension in the MOS 92Y. He was eligible for a \$5,000.00 bonus with a lump sum payment to be processed the day after his then ETS, 23 July 2015, upon verification of his MOS and unit of assignment. He accepted a military technician position on 22 March 2015, which was before the start date of his REB contract. Since he accepted a permanent military technician position before the contract start date, the applicant's REB contract is void and he is ineligible for any bonus payment.

5. On 15 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 public law, policy, and regulation. The evidence of record shows the applicant enlisted in the ARNG on 22 January 2015 with entitlement to a \$5,000.00 REB which would be void if he accepted a military technician position prior to the start date of his contract. The Board reviewed and concurred with the NGB advisory noting he accepted a military technician position on 22 March 2015, which was before the start date of his REB contract. Since he accepted a permanent military technician position before the contract start date, the applicant's REB contract is void and he is ineligible for any bonus payment. Therefore, 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
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. National Guard Regulation (NGR) 600-7 (Selective Reserve Incentive Programs) prescribes policies and procedures for the administration of the ARNGUS incentive programs. Paragraph 1-25 (Termination with recoupment of incentives), the conditions under which termination with recoupment of incentives is warranted are prescribed in this paragraph and also the applicable program chapters and sections of this regulation. With the exceptions of subparagraphs (1) and (2) below, recoupment conditions in this paragraph cover all incentives. (7) Accepts a position as a military technician (Mil Tech) to include temporary technician over 179-days and indefinite technician, where membership is a condition of employment, effective on the date of employment and the Soldier has served less than the required amount of time per current DOD policy. Termination is the day prior to the start date on the Standard Form (SF) 50, SF 52, or Human Resource Office (HRO) memorandum for permanent Mil Techs and on day 180 for all other Mil Techs when 179-days is exceeded in a 12-month period.

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//