

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 28 August 2025

DOCKET NUMBER: AR20240008287

APPLICANT REQUESTS: payment of her \$10,000.00 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), 2 September 2003
- DD Form 1966 (Record of Military Processing – Armed Forces of the United States)
- DD Form 2366 (Montgomery GI Bill Act of 1984 (MGIB))
- DD Form 2808 (Report of Medical Examination)
- Standard Form 86 (Security Clearance Application)
- Statement for Enlistment U.S. Army Enlistment Program
- DD Form 4, 10 March 2005
- DA Form 4187 (Personnel Action), 22 March 2005
- DD Form 4, 15 March 2006
- DD Form 214 (Certificate of Release or Discharge from Active Duty), 16 June 2009
- DA Form 4836 (Oath of Extension of Enlistment or Reenlistment), 22 November 2011
- DA Form 4836, 2 March 2012
- DA Form 4836, 20 August 2013
- DD Form 214, 11 January 2014
- DD Form 214, 1 February 2018
- DA Form 4836, 27 June 2019
- DA Form 4836, 2 March 2021
- Texas (TX) Army National Guard (ARNG) Orders Number 1142032
- Certificate of Vital Record Kerr County Kerrville, TX,
- Bandera High School Diploma

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 she had separated from the TXARNG for 3 years when the National Guard Bureau (NGB) notified her that her REB may not have been completely paid.
3. A review of the applicant's service record shows:
  - On 12 February 2004, she enlisted in the Regular Army and served in the military occupational specialty (MOS) 92G (Food Service Specialist)
  - On 10 March 2005, she enlisted in the ARNG of the United States (ARNGUS) for 1 year
  - On 14 March 2005, she was honorably released from active duty for pregnancy or childbirth and assigned to the ARNGUS
  - On 22 March 2005, the TXARNG Office of the Adjutant General corrected her DD Form 4 to reflect she enlisted on 15 March 2005
  - On 15 March 2006, she reenlisted in the TXARNG for 6 years for a new expiration of term of service (ETS) of 15 March 2012
  - She was ordered to active duty multiple times in support of contingency operations
  - On 22 November 2011, she extended her enlistment in the ARNGUS for 1 year for a new ETS of 14 March 2013
  - On 2 March 2012, she extended her enlistment in the ARNGUS for 1 year for a new ETS of 12 March 2014
  - On 20 August 2013, she extended her enlistment in the ARNGUS for 6 years for a new ETS of 14 March 2020; in conjunction she signed NGB Form 600-7-3-R-E with Control Number R130806XXX, shows in:
    - Section II (Eligibility): she extended Duty MOS qualified in 92G for 6 years
    - Section III (Bonus Amount and Payments): \$10,000.00 REB; paid in two installments, the first 50 percent the day after her current ETS and second 50 percent on her fourth-year anniversary
    - Section IV (Suspension): may be suspended from REB eligibility and no payment(s) will be paid during time of suspension if, suspended for favorable personnel action flag (excludes Army Physical Fitness Test (APFT)) or failure to meet body fat standards
    - Section V (Termination): 1h, may be terminated from REB eligibility with recoupment if:

- She had two consecutive APFT failures and/or two consecutive failures to meet body fat standards within this contract term
  - Termination will be effected the date of second APFT failure or second failure to meet body fat standards
- DA Form 2166-8 (Noncommissioned Officer (NCO) Evaluation Report) for rating period 19 February 2014 through 18 February 2015 shows she passed her APFT on 31 March 2014
- DA Form 2166-9-1 (NCO Evaluation Report (Sergeant (SGT)) for rating period 19 February 2015 through 18 February 2016 shows she failed her APFT on 3 October 2015 by failing the sit-up event, rater commented she was on a temporary profile due to surgery
- DA Form 2166-9-1 for rating period 19 February 2016 through 18 February 2017 shows she failed her APFT on 8 October 2016 by failing the sit-up event, her rater commented she displayed a strong drive for continuous improvement in her physical fitness including sit-ups and her body mass index
- Enlisted Record Brief dated 5 February 2018 shows:
  - Section IV (Personal/Family Data): Height/Weight (HT/WT) and APFT data are blank
  - Section X (Remarks): P1 – Suspension of Favorable Personnel Action
- DA Form 2166-9-1 for rating period 19 February 2017 through 18 February 2018 shows she failed to conduct the APFT during the rating period, her rater commented, she has not displayed a drive to continue improvement in her physical fitness, no APFT on file
- DA Form 2166-9-1 for rating period 19 February 2018 through 18 February 2019 shows she was exempt from the APFT/HW/WT requirement in accordance with Army Regulation (AR) 40-501 (Standards of Medical Fitness) and AR 600-9 (Army Body Composition Program)
- On 27 June 2019, she extended her enlistment in the ARNGUS for 1 year for a new ETS of 14 March 2021
- DA Form 2166-9-1 for rating period of 19 February 2019 through 18 February 2020 shows she had a medical profile issued on 14 April 2019 and she was exempt from the APFT/HW/WT requirement in accordance with AR 40-501 and AR 600-9
- On 18 November 2020, a formal Physical Evaluation Board found her physically unfit for retention for Post-traumatic Stress Disorder and lumbar degenerative disc disease and recommended she be placed on the Permanent Disability Retired List (PDRL) with 80 percent disability
- On 14 March 2021, she was placed on the PDRL with 80 percent disability which was based on injury or disease received in the line of duty as a direct result of armed conflict or caused by an instrumentality of war and resulted from combat

related injury or result of performing combat related operations by Orders Number D 042-11, 11 February 2021

- On 2 March 2021, she extended her enlistment in the ARNGUS for 1 year for a new ETS of 14 March 2022
- On 13 March 2021, she was honorably retired from the ARNGUS and assigned to the U.S. Army Reserve Control Group (Retired Reserve) and placed on the PDRL by Orders Number 1142032, 26 April 2021

4. On 15 April 2025, in the processing of this case, the National Guard Bureau provided an advisory opinion regarding the applicant's request to be paid her REB. The advisory official recommended disapproval of her request. The applicant extended her enlistment in the TXARNG on 20 August 2013 for 6-years with a \$10,000.00 REB to be paid in two installments. A review of her records concluded her incentive was terminated due to failing consecutive APFTs, Guard Incentive Management System shows she failed two consecutive APFTs in November 2014 and May 2015. The TX ARNG confirmed she received the first payment of her REB and was discharged from the ARNG in 14 March 2021 due to being found unfit for military service, therefore her contract was terminated upon confirmation with the State Surgeon General of reason for medical discharges with loss of all future payments.

5. On 22 April 2025, the Army Review Boards Agency Case Management Division provided the applicant the advisory opinion for review and comment. She 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 extended in the ARNG on 20 August 2013 with entitlement to a \$10,000.00 REB which would be void if she failed two APFTs. The Board reviewed and concurred with the NGB advisory noting she failed two consecutive APFTs in November 2014 and May 2015. The TXARNG confirmed she received the first payment of her REB and was discharged from the ARNG in 14 March 2021 due to being found unfit for military service, therefore her contract was terminated upon confirmation with the State Surgeon General of reason for medical discharges with loss of all future payments. Therefore, the Board denied relief.

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. National Guard Regulation (NGR) 600-7 (Selective Reserve Incentive Programs) in effect at the time, prescribes policies and procedures for the administration of the ARNGUS incentive programs.

a. Paragraph 1-18 (Suspension of Selected Reserve Incentive Program Incentives), Except for suspension of favorable personnel actions based on failure to maintain body composition standards or Army Physical Fitness Test (APFT) failure, Soldiers who have a suspension of favorable actions will not be processed for an initial or anniversary payment. Bonus payments will be processed effective the date the suspension is lifted, for soldiers who have continued eligibility.

b. Paragraph 1-20 (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. d. Repeat Army Physical Fitness Test (APFT) failure of failure to meet body fat standard within a one-year period will result in the suspension of an incentive. Two consecutive APFT or body fat standard failures will result in the termination of an incentive.

c. Paragraph 3-8 (Suspension and reinstatement), a. Suspension from the reenlistment or extension bonus will occur if a Soldier enters any of the conditions stated in paragraph 1-18. Unit commanders or their representatives will notify the State Incentive Management Office when a suspension condition occurs. b. Reinstatement of a reenlistment bonus is not guaranteed. For Soldiers who meet the requirements for continued eligibility in paragraph 1-18, process subsequent payments effective on the date the suspension is lifted or on the adjusted anniversary date of satisfactory creditable service.

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//