

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 26 August 2025

DOCKET NUMBER: AR20240008294

APPLICANT REQUESTS: disbursement of his Student Loan Repayment Program (SLRP) entitlements payments.

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

- DD Form 149 (Application for Correction of Military Record)
- E-mail requesting Inspector General (IG) assistance shows on or about 22 January 2021, the applicant requested assistance from the IG
- E-mail response from the Tennessee Army National Guard (TNARNG) Education and Incentives Office, 14 April 2024, states:
  - Three payments were made for Fiscal Years (FY) 2019 through 2021
  - The remaining payments had funding issues, but still should payout
  - FY18 payment was too old to process, the applicant was informed he required approval from the Army Board for Correction of Military Records

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 enlisted in the ARNG with the entitlement of SLRP
- An erroneous entry for record Army Physical Fitness Test (APFT) consecutive failures in his service record stopped the payment of his SLRP
- After his service record was corrected to remove the APFT failures, an attempt was made to process his SLRP payments; however, payments could not be processed

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

- On 26 June 2015, he enlisted in the ARNG and he had continuous service through extensions, he signed:
    - DD Form 1966 that states in item 32: SLRP \$50,000.00
    - NGB Form 600-7-5-R-E which states in:
      - Section II (Eligibility), he had 12 disbursed loans with the existing amount of \$27,752.00, total amount of repayment cannot exceed \$50,000.00
      - Section VI (Termination): he may be terminated from SLRP eligibility without recoupment if he
        - Had two consecutive APFT failures
        - Termination date would be effective on the date of the second APFT failure
  - On 12 July 2016, he passed the record APFT
  - On 15 June 2019, he failed the APFT, the DA Form 705 (APFT Scorecard) does not specify record or diagnostic
  - On 24 October 2019, he was ordered to active duty in support of Operation Enduring Freedom (Spartan Shield) by Orders Number 45-266-0103, 23 September 2019
  - On 4 November 2019, he passed the APFT
  - On 22 October 2020, he was honorably released from active duty and reverted to ARNG control
  - On 25 January 2021, he was ordered to full time National Guard duty – Operational Support (FTNGD-OS) for the Coronavirus vaccine mission by Orders Number 026-023, 26 January 2021
  - On 1 May 2021, he was ordered to FTNGD-OS Coronavirus vaccine mission by Orders Number 45-1126-00188, 3 May 2021
  - On 28 September 2021, he was honorably released from active duty and reverted to ARNG control
4. On 27 February 2025, the Army Review Boards Agency Case Management Division (ARBA CMD) requested the applicant provide documents regarding his SLRP and his educational loan balances. As of 11 August 2025, he has not provided the requested documents.
5. On 23 April 2025, in the processing of this case, the National Guard Bureau provided an advisory opinion regarding the applicant receiving his SLRP payments. The advisory official recommended approval of his request.
- a. A review of the documents provided by the applicant and data within the Guard Incentives Management System (GIMS) show that he signed a SLRP

agreement on 26 June 2015 with the TNARNG for a term of 6-years with a MOS as a 12T10, which had an authorization for SLRP. His SLRP contract was terminated without recoupment due to having two consecutive APFT failures annotated in the GIMS, and a violation of the regulation, which states that incentive payments should stop if a Soldier has two consecutive APFT failures.

b. The TNARNG concluded that all of his incentive payments had been made except for the FY18 payment, which had been stopped in error. The applicant’s incentive had been terminated in error due to erroneous APFT data added to GIMS. The TNARNG could not correct the error in GIMS due to the prolonged shutdown of the system during this period of service and therefore could not process the outstanding debt payment to the Soldier.

6. On 3 May 2025, the ARBA CMD provided the applicant the advisory opinion for review and comment. He has not responded.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was 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 Board concurred with the Army National Guard, recommending approving the applicant’s request. The evidence of record shows the applicant’s incentive had been terminated in error due to erroneous APFT data added to GIMS. Therefore, The Board determined there was sufficient evidence to show an error occurred and granted relief.

BOARD VOTE:

| <u>Mbr 1</u> | <u>Mbr 2</u> | <u>Mbr 3</u> |                      |
|--------------|--------------|--------------|----------------------|
| XX           | XX           | XX           | GRANT FULL RELIEF    |
| :            | :            | :            | GRANT PARTIAL RELIEF |
| :            | :            | :            | GRANT FORMAL HEARING |
| :            | :            | :            | DENY APPLICATION     |

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army and Army National Guard records of the individual concerned be corrected by showing he was authorized and entitled to all of his Student Loan Repayment Program (SLRP) payments.

X //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. Title 31, U.S. Code, section 3702, also known as the Barring Statute, 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, U.S. Code, 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.

3. National Guard Regulation 600-7 (Selected Reserve Incentives Programs (SRIP)) in effect at the time, prescribes policies and procedures for the administration of the Army National Guard of the United States (ARNGUS) incentive programs; SLRP.

a. Paragraph 1-9 (Educational Requirements), the Enlistment Bonus (EB) and the Student Loan Repayment Program (SLRP) incentives may be granted to Soldiers who meet the educational eligibility criteria and who have the credentials of a secondary school graduate as defined in the glossary under educational levels.

b. Paragraph 2-24 (Eligibility) states the SLRP may be offered to current ARNG members who meet the following requirements:

- Soldiers who previously contracted for the SLRP in the Selected Reserve are only entitled to the maximum benefit established by the original contract, minus any money previously paid under the contract
- Enlist/affiliate or reenlist/extend for a minimum of three years
- Enlist into a Critical Skill vacancy as outlined in the current FY SRIP policy
- Have one or more disbursed qualifying loans

c. Paragraph 2-28 (Soldier responsibilities), a. Provide copies of loan documentation as stated by current FY SRIP policy to Retention Noncommissioned Officer or unit administrator. b. Complete Annual Loan Repayment DD Form 2475 (DoD Educational Loan Repayment Program) each anniversary year upon receipt from Incentive Manager, or unit administrator. c. Maintain current mailing address on file with the

government. d. Maintain loan account(s) in good standing. The government will not make payment(s) on defaulted loans. e. Update State Incentive Office when changes occur to the loan(s) (i.e. account number, lenders name and address).

//NOTHING FOLLOWS//