

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 11 March 2025

DOCKET NUMBER: AR20240008382

APPLICANT REQUESTS: payment of Warrant Officer Accession Bonus (WOAB).

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), 19 September 2011
- Officer/Warrant Officer (WO) Accession Written Agreement, 16 September 2013
- Orders Number 354-0004, 20 December 2022
- DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 20 February 2023
- DD Form 215 (Correction to DD Form 214, Certificate of Release or Discharge from Active Duty), 14 February 2023
- Memorandum, Subject: Notification of Potential Entitlement to Incentive Payment, 14 March 2024

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 was informed that she did not receive a part of her accession bonus for warrant officer (WO). She received correspondence stating she may be entitled to WOAB, and she was instructed to send the appropriate information to the ABCMR. She states she received a portion of her bonus but never received the rest of it. All the applicable documents are available and were uploaded, including the correspondence she received. This issue is of interest is because, someone finally figured out that a servicemember's contract was breached and many things were done in error.
3. A review of the applicant's official record shows the following:

a. With prior United States Marine Corps (USMC) enlisted service, on 19 September 2011, the applicant enlisted in the Army National Guard (ARNG).

b. Orders Number 349-077 dated 15 December 2011, issued by Headquarters, Missouri National Guard (MOARNG), Office of the Adjutant General, appointed her to the rank of Warrant Officer Candidate (WOC) with an effective date of 14 December 2011.

c. On 16 September 2013, she completed and signed an ARNG Officer/WOAB Written Agreement which states, in pertinent part:

(1) The applicant agreed to serve in a valid Critical Skill (CS) Selected Reserve (SELRES) Military Occupational Specialty (MOS) that has been designated for bonus entitlement by the Secretary of Defense or designated delegate and be a newly commissioned WO in the grade of WO1 under the bonus control number O13090004MO.

(2) She understood that she must have her WO Pre-Determination Packet (PDP) approved No-Later-Than 15 March 2014, failure to do so may void the OAB WO agreement. She understood her State Federal Recognition as a WO must be approved no later than 120 days following her WO PDP. And she acknowledged that she understood that her WOAB agreement only becomes valid once she is commissioned as a WO in the ARNG and that her 6-year obligation starts on the date of her commission and not the date of signature on this form.

(3) This agreement only becomes valid once she is commissioned in the ARNG. She understood that her 6-year active status obligation starts on the date of her commission and not the date of signature on this form.

(4) She agreed to serve in the Area of Concentration (AOC) for which this WOAB is being awarded for the full length of this agreement to include normal career progression as long as she remains the primary position holder within her Career Management Field (CMF) and agreed to serve in the same MOS for the entire length of this agreement.

(5) The applicant must accept this WOAB in a critical skill designated by the Secretary of the Army for entitlement and agree to accomplish the necessary training prescribed by the Secretary of the Army (completion of the Warrant Officer Basic Course) (WOBC) to be achieve the designated skill within 24-months from the date of her commissioning.

(6) The applicant was being commissioned into the ARNG for the Warrant Officer Accession Bonus and in the approved CS of (AOC/MOS): 350F (All Source Intelligence

Technician) in Tier Level 6 and shall receive a total bonus amount of \$10,000 less taxes paid in one lump sum that will be processed upon completion of WOBC and verification of her critical AOC/MOS.

(7) The applicant understood she may be suspended from WOAB eligibility and no WOAB payment will be paid during the time of suspension if she was flagged per AR 600-8-2. She would not be eligible for an initial or anniversary payment during this suspension. WOAB payment(s) may be processed effective the date the suspension is lifted for those who have continued eligibility. And she understood that entitlement to this WOAB will be terminated when any of the termination reasons apply and that she may be terminated from bonus eligibility with recoupment.

d. National Guard Bureau (NGB) Form 22 (Report of Separation and Record of Service) shows the applicant entered service this period on 19 September 2011 and was honorably released on 29 September 2013 to accept appointment as a commissioned/warrant officer.

e. DA Form 71 (Oath of Office Military Personnel) dated 30 September 2013; shows she executed her oath of office as was appointed as a Reserve Warrant Officer.

f. Orders Number 291-028 dated 18 October 2013, issued by Headquarters, MOARNG appointed her as warrant officer one (WO1), effective 30 September 2013.

g. DA Form 1059 (Service School Academic Evaluation Report) dated 4 May 2015; shows she completed the Military Intelligence Warrant Officer Basic Course.

h. DD Form 214 shows in block 12a she entered active duty for training this period on 16 February 2015 and was honorably released from active duty training on 8 May 2015 and she complete the All Source Intelligence Technician training.

i. Memorandum, Subject: Award of Commissioned Officer Skill Identifier dated 11 July 2015 indicated she was awarded the critical skill of 350F0.

j. Officer Record Brief dated 23 April 2018 reflects her basic officer service date was 30 September 2013.

k. DD Form 214 shows in block 12a (date Entered Active Duty this Period) she entered active duty this period on 6 June 2020 and was honorably retired from active duty on 20 February 2023, by reason of disability, combat related.

l. NGB Form 22 shows the applicant entered service this period on 29 September 2013 and was honorably released from the MOARNG on 20 February 2023 for resignation/placement on the permanent disability list.

4. The applicant provides:

a. Orders Number 354-0004 dated 20 December 2022, issued by Headquarters, U.S. Army Garrison, Fort Riley, released the applicant with a retirement/separation date of 20 February 2023.

b. Memorandum, Subject: Notification of Potential Entitlement to Incentive Payment dated 14 March 2024, informed the applicant that a review of the Guard Incentive Management System (GIMS) determined she may not have received her incentive payment in its entirety for the WOAB with the control number of O13090004MO and referred her to ARBA.

5. On 26 February 2025, the NGB, Chief, Special Actions Branch, provided an advisory opinion which stated:

a. Based on the research conducted by the MOARNG Education and Incentives team, the applicant is owed her full bonus of \$10,000.00. The bonus was due to the applicant upon completion of WOBC on 4 May 2015 per her DA Form 1059. Per the bonus addendum, the bonus was to be paid in a lump sum payment of \$10,000.00.

b. After a search in Defense Joint Military Pay System with a result of no payment information, MOARNG reached out to the United States Property and Fiscal Officer, and they stated the applicant did not receive any payments for her bonus. The applicant was in good standing per GIMS and was not a MILTech or Active Guard/Reserve. She was passing her Army Physical Fitness Tests and Height/Weight per the historical data in GIMS. The applicant remained in the correct area of concentration (350F) and Unit Identification Code (V21B0) throughout her contract until she was separated for permanent disability on 20 February 2023.

c. It is the recommendation of this office that the applicant be paid any funds due to her from the unpaid portion of her accession bonus. And the MOARNG concurs with this recommendation.

6. On 27 February 2025, the applicant was provided with a copy of the advisory opinion for comment or rebuttal.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documentation and the facts and recommendations outlined in the NGB advisory opinion, the Board concluded there was sufficient evidence of an error or injustice warranting the payment of any remaining unpaid portion of the applicant's Warrant Officer Accession Bonus (WOAB).

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:XXX	:XXX	:XXX	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 Army records of the individual concerned be corrected by paying any remaining unpaid portion of the applicant's Warrant Officer Accession Bonus (WOAB).

//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. Army Regulation 601-210 (Regular Army and Reserve Components Enlistment Program), prescribes eligibility criteria governing the enlistment of persons, with or without prior service (PS), into the Regular Army (RA), the U.S. Army Reserve (USAR), and the ARNG. Paragraph 10-15 (Selected Reserve Incentive Program – officer accession bonus and officer affiliation bonus), a. Officer accession bonus. The OAB applies to newly appointed commissioned and warrant officers (2LT or WO1) who agree to serve in a Selected Reserve unit of the component in which appointed. DA Form 5261–7 (Selected Reserve Incentive Program - Officer Accession Bonus) will be completed on individuals who qualify for and agree to receive the OAB. To be eligible for the bonus individual must:

- agree to accept an appointment as an officer in the ARNG or USAR and serve in a designated critical AOC/MOS in a Selected Reserve unit of the component in which appointed, for a period of not less than 6-years from date of appointment
- not be accepting an appointment as an officer serving in the Selected Reserve for the purpose of qualifying for a military technician position where membership in an RC is a condition of employment or be accepting an appointment to fulfill either an Active Guard Reserve position or an assignment as an individual mobilization augmentee
- possess an AOC/MOS designated by the Secretary of the Army for bonus entitlement, or agree to accomplish the necessary training prescribed by the Secretary of the Army to achieve the designated critical area of concentration/MOS
- not currently receiving financial assistance or special pay, and not receive such assistance or serve any related service obligation during the period of this agreement
- fill a critical skill in the Selected Reserve. ARNG and USAR will forward a critical skills list with justification for payment of the OAB to DCS, G–1, on a semi-annual basis for approval as part of their SRIP
- successfully complete an officer basic course or warrant officer basic course in his or her designated AOC/MOS within 36 months of the date of appointment

3. Department of Defense Instruction (DODI) 1205.21 (Reserve Component Incentive Programs Procedures) prescribes procedures for incentive programs. Section 6.2 (Written Agreements) states, in part, as a condition of the receipt of an incentive

covered by this instruction, each recipient shall be required 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 advance payments may be recouped. That agreement shall clearly specify the terms of the Reserve service commitment that authorizes the payment of the incentive to the member.

4. DODI 1304.34 (General Bonus Authority for Officers), Establishes policy, assigns responsibilities, and prescribes procedures for the payment of a bonus, in accordance with Section 332 of Title 37, USC, to persons, members, or officers. Paragraph 3.2b (Additional Accession Bonus Eligibility Requirements), in addition to meeting the minimum eligibility requirements listed in Paragraph 3.1.b., an eligible person must:

- meet the qualification standards listed in DODI 1304.26 for a commission or Appointment
- be an initial recipient of a commission or appointment in a Regular or Reserve Component
- have completed all previous service obligations incurred as a result of receiving a bonus or special pay while serving as an enlisted Service member or Reserve Officer Training Course cadet or midshipman not have received:
  - pre-commissioning compensation
  - financial assistance through a loan repayment program
  - an accession bonus
  - accept a service obligation on active duty or in the SELRES for at least 4 years.

5. The ARNG SRIP Policy for Fiscal Year 2013 (Policy Number 13-01), dated 29 November 2012 states the officer/Soldier must serve satisfactorily in the contracted AOC or MOS for the full term of the agreement and be accessed into a valid CS vacancy in an AOC/MOS that matches the authorized military grade and skill qualification commensurate with the position into which being commissioned.

//NOTHING FOLLOWS//