

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 September 2025

DOCKET NUMBER: AR20240008383

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), 27 March 2002
- DD Form 214 (Certificate of Release or Discharge from Active Duty), 23 May 2003
- National Guard Bureau (NGB) Form 23 (Army National Guard (ARNG) Current Annual Statement), 21 April 2008
- Puerto Rico (PR) ARNG Joint Forces Headquarters Orders Number 289-515
- NGB Form 22 (NGB Report of Separation and Record of Service)

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 there is an error in the payment of potential enlistment incentive payment for REB control number R13120114PR.
3. A review of the applicant's service record shows:
 - On 27 March 2002, she enlisted in the ARNG of the United States
 - DD Form 214 shows on 16 January 2003, she was ordered to active duty for training and was released from active duty on 23 May 2004
 - On 9 July 2003, she was awarded the military occupational specialty (MOS) 95B/31B (Military Police) by Orders Number 151-43, July 23, 2003
 - On 21 February 2005, she was ordered to active duty in support of Operation Iraqi Freedom by Orders Number 033-162, 18 February 2005

- On 23 May 2006, she was honorably released from active duty and reverted to ARNGUS control
- On 17 December 2013, she extended her enlistment in the ARNGUS for 6-years for a new expiration of term of service (ETS) of 26 March 2020; in conjunction NGB Form 600-7-3-R-E with Control Number R13120114PR, shows in:
 - Section II (Eligibility): she extended Duty MOS qualified in 31B 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 final 50 percent on her fourth year anniversary
 - Section V (Termination without Recoupment) 4e, involuntarily ordered into retirement, termination date effective on ARNG discharge order, 4h, discharged due to injury or illness not the result of own misconduct
- On 18 September 2018, the informal Physical Evaluation Board found her physically unfit for retention and recommended she be placed on the Permanent Disability Retired List (PDRL) with 40 percent disability
- On 2 November, she was placed on the PDRL with 40 percent disability by Orders Number D 271-17, 28 September 2018
- On 1 November 2018, she was discharged from the ARNG and assigned to the U. S. Army Reserve Control Group (Retired Reserve) by Orders Number 289-515, 16 October 2018

4. On 8 April 2025, in the processing of this case, the NGB provided an advisory opinion regarding the applicant's REB payment. The advisory official stated the applicant reenlisted in the ARNG on 17 December 2013 with a \$10,000.00 REB, scheduled to be paid first 50 percent after her current ETS date and the second 50 percent on her fourth-year anniversary. She received the first 50 percent. She was discharged from the ARNG on 1 November 2018 and placed on the PDRL on 2 November 2018. It is recommended partial approval and she is owed \$2,638.88 from her contract to account for the difference in termination date.

5. On 9 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 partial 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 noted and concurred with the advisory official's recommendation to grant partial relief. The advisory official stated the applicant reenlisted in the ARNG on 17 December 2013 with a \$10,000.00 REB. She received the first 50 percent and was discharged from the ARNG on 1 November 2018 and placed on the PDRL on 2 November 2018. The Board determined that she owed \$2,638.88 from her contract to account for the difference in termination date and granted partial relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
■	■	■	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 the Army and Army National Guards records of the individual concerned be corrected by showing she is entitled to the amount of \$2,638.88 from her contract to account for the difference in termination date, ending the day she was placed on the PDRL on 2 November 2018.
2. The Board further determined that 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 to any additional payment in excess of the above.
3. Prior to closing the case, the Board noted the administrative notes below from the analyst of record and recommended that change also be completed to more accurately reflect the applicant's military service.

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.

ADMINISTRATIVE NOTE(S):

1. Reference the enclosed request for correction of military records from the subject individual to correct his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period of service January 16 through May 23, 2003, by amending Item 24 (Character of Service) to reflect Honorable.

2. A review of the records listed below (enclosed) is sufficient to substantiate correction of the DD Form 214 without action by the Board.

- DD Form 214 period of service January 16 through May 23, 2003
- San Juan Military Entrance Processing Station Orders Number 221-9, December 4, 2003
- Headquarters, PR State Area Command ARNG Orders Number 151-43, July 23, 2003
- Army Regulation 635-8 (Personnel Separations – Separation Processing and Documents)

3. Please correct the applicant's DD Form 214 by amending the item shown in paragraph 1 above. Provide the applicant a copy of the corrections. Please ensure that the corrections are recorded in the applicant's official military personnel record.

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.

a. 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.

c. Paragraph 1-26 (Termination without recoupment), the conditions under which termination without recoupment of incentives is warranted and also the applicable program chapters and sections of this regulation. The effective date of the termination will be the effective date of the action. Payments due prior to the effective date will be paid to the Soldier. Payments due after the effective date of the action will be canceled and will not be paid to the Soldier.

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//