

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 6 May 2025

DOCKET NUMBER: AR20240008797

APPLICANT REQUESTS: Exception to Policy (ETP) to retain her Student Loan Repayment Program (SLRP) incentive.

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

- DD Form 149 (Application for Correction of Military Record)
- Applicant's ETP Request dated 7 May 2024, which shows she requested an ETP to retain her SLRP incentive and stated her contentions; the applicant also provided a timeline from her time during enlistment through Officer Candidate School (OCS) as well as attendance to the Basic Officer Leader Course (BOLC)
- National Guard Bureau (NGB) Memorandum - Subject: ETP Disapproval, with Relief from Recoupment, SLRP for [Applicant] dated 2 July 2024, which shows the NGB denied the applicant's ETP request based on her not completing BOLC within the 2-year period from OCS

FACTS:

1. The applicant states:

- She commissioned in the California Army National Guard (CAARNG) on 24 August 2019 for a 6-Year/\$50K SLRP
- Her contract is flagged for a violation due to not graduating BOLC within the two-year period from OCS
- She is only 21 days over this requirement; graduating 14 September 2021 from BOLC after completing OCS 24 August 2019
- She did not complete OCS within 12 months of enlistment; this was due to the class she was reserved in did not have enough candidates and extended out 12 months in phase zero which is a holding phase within OCS
- Once there are enough candidates phase 1 begins in which was well over a year from the time of enrollment into OCS
- Once she completed OCS and enrolled into BOLC with the unforeseen circumstances due to Coronavirus in 2020/2021, it inhibited her ability to attend school at an earlier date due to course cancellations

- She completed BOLC 21 days after the 24-month period within her bonus addendum section VI paragraph 2, c.
- This was due to unforeseen circumstances beyond her control

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

- On 14 December 2016, the applicant enlisted in the CAARNG for 6 years
- In connection with her enlistment, the applicant completed and signed NGB Form 600-7-5-R-E (Annex L to DD Form 4 – SLRP Addendum – Army National Guard of the United States), which states, in pertinent part:
 - This addendum will be completed by all persons accepting assignment to the Army National Guard (ARNG) with entitlement to the Non-Prior Service (NPS) 09S (Commissioned Officer Candidate) SLRP under the Selected Reserve Incentive Program (SRIP)
 - She had 8 disbursed loan(s) existing in the amount of \$33,188.00
 - The total amount of repayment for qualifying loan(s) will not exceed \$50,000.00 with annual repayments of 15 percent of the balance of the loan(s), plus accrued interest or \$500.00 plus the accrued interest, whichever is greater, as established by Law
 - The 09S NPS SLRP incentive may be suspended, and no anniversary payments would be paid during the time of suspension if the applicant failed to begin OCS with one (1) year of enlistment
 - The applicant understood that if she failed to complete BOLC within two (2) years after completion of OCS, she would be terminated from 09S SLRP eligibility "with full recoupment of all previously processed 09S SLRP payments"
- On 23 June 2017, DD Form 220 (Active Duty Report) shows the applicant completed Basic Combat Training
- On 24 August 2019:
 - DA Form 71 (Oath of Office – Military Personnel) shows the applicant was appointed as a Reserve commissioned officer and executed her oath office
 - NGB Form 337 (Oaths of Office) shows she was appointed as a second lieutenant in the CAARNG and executed her oath of office
- On 14 September 2021, DA Form 1059 (Service School Academic Evaluation Report) shows the applicant completed Adjutant General BOLC; the duration of the course was from 21 June to 14 September 2021

- On 14 January 2023, Order Number 0003885491.00 reassigned the applicant to the “0040 AV HHC HHC” Expeditionary, Fresno, CA (Unit Identification Code (UIC) – WV7TAA), effective 31 October 2022
- On 2 May 2024, Order Number 0008019198.00 reassigned the applicant to “CAARNG TC, CP San Luis Obispo”, San Luis Obispo, CA (UIC – W7Q5A1), effective 1 June 2024
- On 7 May 2024, the applicant submitted an ETP request to retain her SLRP incentive payments and stated:
 - Her contract is flagged for a violation due to graduating BOLC over the two-year period from OCS
 - She added a timeline from her time during enlistment through OCS as well as attendance to BOLC, and it shows:
 - She enlisted in the CAARNG 14 December 2016, attended Basic Combat Training April – June 2017 (delayed ship)
 - OCS start date in phase zero – July 2017 through June 2018
 - OCS start date phase 1 July 2018; phase 2 August 2018 through June 2019; phase 3 July 2019 with a graduation date of 24 August 2019
 - BOLC graduation date 14 September 2021
 - The applicant provided the same contentions and statements written above to NGB

3. On 2 July 2024, the NGB, Chief, G-1 Operations Division denied the applicant’s ETP request to retain SLRP incentive, with relief from recoupment. The NGB official stated:

a. The ETP request on behalf of the applicant to retain the \$50,000.00 SLRP incentive is denied.

b. The applicant failed to complete BOLC, which violates the fiscal year 2016 (FY16) SRIP. The California State Incentive Manager will terminate the SLRP incentive and grant relief from recoupment as the applicant did not meet the BOLC completion timeline and was assigned to an unauthorized unit in violation of the FY16 SRIP. A copy of this memorandum must be placed in the Soldiers Army Military Human Resources Record.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was not warranted. The applicant’s contentions, the military record, and regulatory guidance were carefully considered. Based upon the facts outlined in the NGB G1

advisory opinion and a lack of any submitted rebuttal of those facts by the applicant, the Board concluded there was insufficient evidence of an error or injustice warranting a change to the applicant's SLRP benefits.

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.

//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. Army Regulation 15–185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the Army Board for Correction of Military Records (ABCMR). In pertinent part, it states that the ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence. The ABCMR will decide cases based on the evidence of record. It is not an investigative agency.

2. Department of Defense Instruction 1205.21 (Reserve Component Incentive Programs Procedures) requires each recipient of an incentive 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 which advance payments may be recouped. The agreement must clearly specify the terms of the Reserve Service commitment that authorizes the payment of the incentive to the member.

3. National Guard Regulation 600-7 (Selected Reserve Incentive Programs) governs policies and procedures for the administration of the Army National Guard SRIP programs. Paragraph 1-25b(2) (Termination with recoupment of incentives) states, termination with recoupment is defined as termination of the incentive which Soldier is entitled to a prorated incentive amount based on the number of months served satisfactorily prior to the incentive termination date. The Soldier may be required to pay funds back to the government or the Soldier may be entitled to a payment. Termination with recoupment will occur, if a Soldier fails to participate satisfactorily in required training during the entire period of Service agreed to per the written agreement, unless the failure to participate satisfactorily was due to reasons beyond the control of the member (that is, death, injury, illness, or other impairments).

//NOTHING FOLLOWS//