

IN THE CASE OF: [REDACTED]

BOARD DATE: 28 April 2025

DOCKET NUMBER: AR20240010594

APPLICANT REQUESTS: payment of the remainder of his Non-Prior Service Enlistment Bonus (NPSEB).

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:
DD Form 149 (Application for Correction of Military Record)

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 was not paid a portion of his NPSEB; however, he completed 6 years of service.
3. A review of the applicant's official record shows the following:
 - On 5 February 2010, the applicant enlisted in the Army National Guard (ARNG); in conjunction with this enlistment National Guard Bureau (NGB) form 600-7-1-R-E (Annex E to DD Form 4 NPSEB Addendum ARNG) was completed showing the following:
 - He enlisted for 6-years in Military Occupational Specialty (MOS) 88M (Motor Transport Operator)
 - He was entitled to a NPSEB in the amount of \$10,000.00
 - The NPSEB would be paid in three installments; the first 50 percent would be paid upon completion of initial active duty for training and verification of MOS; the second 20 percent would be paid on the third year and the final 30 percent paid on the sixth year

- Section V (Termination) shows the NPSEB would be terminated if the applicant failed two consecutive Army Physical Fitness Test (APFT) or twice failed to meet body fat standards
- On 8 June 2011, the applicant entered active duty for training.
- On 5 August 2011, the applicant was honorably released from active duty and awarded MOS 88M; he was returned to his ARNG unit
- On 4 February 2016, the applicant was honorably released from the ARNG by reason of completion of 6 year reserve obligation and was transferred to the U.S. Army Reserve Control Group (Annual Training); he completed 6 years of net service

4. On 22 April 2025, in the processing of this case the NGB, Chief, Special Actions Branch, provided an advisory opinion recommending disapproval and stated in part:

- a. A review of the applicant's submission, records, Guard Incentives Management System data, and discussion with the █ARNG, the applicant is not eligible to receive the remaining bonus payments. Review of the applicant's submitted NPS Bonus Addendum (BA) and multiple APFT failures indicates the bonus incentive was terminated in accordance with (IAW) NPS BA, Section V - Termination, paragraph 2k.
- b. The applicant was due the first installment on 5 August 2011 and received payment on 19 December 2011. The second and third installments were due payment on 5 February 2013 and 4 February 2016. The applicant received payment of second installment on 15 March 2013. The applicant failed the record APFT on the following dates: 4 May 2014, 7 September 2014, 21 March 2015, and 14 August 2015. IAW NPS BA, Section V - Termination, paragraph 2k, his contract required termination with recoupment. Thus, the applicant was not due the third installment.
- c. The █ARNG concurs with this recommendation.

5. On 24 April 2025, the applicant was provided with a copy of the advisory for comment or rebuttal.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered.
2. The Board reviewed and concurred with the NGB advisory opinion. The applicant is not eligible to receive the remaining bonus payments. A review of the applicant's

submitted NPS Bonus Addendum (BA) and multiple APFT failures indicates the bonus incentive was properly terminated in accordance with (IAW) NPS BA, Section V - Termination, paragraph 2k.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

: : : GRANT FULL RELIEF

: : : GRANT PARTIAL RELIEF

: : : GRANT FORMAL HEARING

[REDACTED] [REDACTED] [REDACTED] 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.

5/6/2025

X [REDACTED]

CHAIRPERSON
[REDACTED]

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. Department of Defense Instruction 1205.21 (Reserve Component Incentive Programs Procedures) paragraph 6.2 states, as a condition of the receipt of an incentive covered by this Instruction, each recipient shall be required to sign a written agreement stating that 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. That agreement shall clearly specify the terms of the Reserve Service commitment that authorizes the payment of the incentive to the member.

//NOTHING FOLLOWS//