

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 19 March 2024

DOCKET NUMBER: AR20230006142

APPLICANT REQUESTS: payment of the Continuation Pay (CP) Blended Retirement System (BRS).

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

- DD Form 149 (Application for Correction of Military Record)
- Email correspondence
- Certificate of completion

FACTS:

1. The applicant states, he is attempting to receive CP after the normal window. He passed the window while serving in a U.S. Army Reserve (USAR) Troop Program Unit (TPU). He was not aware that CP applied to USAR TPU until informed by the Financial Education Program Manager Soldier and Family Readiness Division Deputy Chief of Staff. After entering into the USAR as a TPU Soldier on 19 September, he received no financial readiness training until February 2023. During this time, he passed the window to receive CP.

2. A review of the applicant's official record shows the following:

a. The applicant enlisted in the Army National Guard (ARNG) on 19 December 2008. His Pay Entry Basic Date (PEBD) was established as 19 December 2008.

b. His NGB Form 22 (Report of Separation and Record of Service) shows he was honorably separated from the ARNG on 15 May 2014 for appointment as a commissioned or warrant officer.

c. The applicant executed an oath of office and was appointed as a Reserve commissioned officer on 16 May 2014. His Officer Record Brief shows his Pay Entry Basic Date (PEBD) as 19 December 2008.

d. The applicant reached 12 years of service on 19 December 2020. The applicant remains in the USAR.

3. The applicant provides:

a. Email correspondence wherein the applicant corresponds with Deputy Chief of Staff, G-9 official pertaining to CP BRS.

b. Certificate of completion showing the applicant completed the "Entitlement to CP Financial Readiness Training Milestone."

4. On 25 January 2024, in the processing of this case, the Office of the Deputy Chief of Staff G-1 provided an advisory opinion recommending disapproval of the applicant's request stating, after careful review of the information provided, we do not support the applicant's request for CP. The applicant does not present proof of enrollment in BRS; additionally, he must have a completed, certified, and approved Calendar Year 2020 application to support a claim of CP.

5. On 26 January 2024, the applicant was provided with a copy of the advisory opinion for comment or rebuttal. He did not respond.

BOARD DISCUSSION:

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. The applicant's PEBD is listed as 19 December 2008. He reached his 12th year of service on 19 December 2020. He does not proof of enrollment in the BRS. The Board reviewed and agreed with the G-1 advisory official's determination that the applicant must have a completed, certified, and approved Calendar Year 2020 application to support a claim of CP. He was informed of this requirement, but he did not respond.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
█	█	█	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.

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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.

REFERENCE:

Title 37 United States Code, section 356 (CP) states:

a. the Secretary concerned shall pay CP under subsection (a) to a full Thrift Savings Plan (TSP) member when the member has completed not less than 8 and not more than 12 years of service in a uniformed service. Enters into an agreement with the Secretary to serve for not less than three additional years of obligated service. A full TSP member may elect to receive CP in a lump sum or in a series of not more than four payments.

b. Payment Amount—the Secretary concerned shall determine the payment amount under this section as a multiple of a full TSP member's monthly basic pay. The multiple for a full TSP member who is a member of a Reserve Component, if the member is performing AGR duty (as defined in Title 10, USC, section 101(d)(6)), shall not be less than 2.5 times the member's monthly basic pay. The multiple for a full TSP member who is a member of a Reserve Component not performing AGR duty (as so defined) shall not be less than 0.5 times the monthly basic pay to which the member would be entitled if the member were a member of a Regular Component. The maximum amount the Secretary concerned may pay a member under this section is—

- in the case of a member of a Regular Component—the monthly basic pay of the member at 12 years of service multiplied by 2.5
- in the case of a member of a Reserve Component—the amount of monthly basic pay to which the member would be entitled at 12 years of service if the member were a member of a Regular Component multiplied by 0.5

//NOTHING FOLLOWS//