

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 December 2024

DOCKET NUMBER: AR20240002201

APPLICANT REQUESTS: in effect, correction of her record to show approval of her application for Blended Retirement System Continuation Pay (BRS CP).

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

- DD Form 149 (Application for Correction of Military Record)
- Leave and Earnings Statement (LES)

FACTS:

1. The applicant states, in effect, she requests entitlement to BRS CP.
2. The applicant enlisted in [REDACTED] Army National Guard ([REDACTED] ARNG) on 30 December 2010.
3. The applicant provides a LES for the month of October 2022 that shows she was enrolled in the "choice" retirement plan and had Thrift Savings Plan (TSP) contributions.
4. On 26 September 2024, in the processing of this case the Deputy Chief of Staff for Personnel, Joint Force Headquarters – [REDACTED] provided an advisory opinion which stated:
 - a. After review of the applicant's request for correction of military records regarding BRS CP, [REDACTED] National Guard advises the ABCMR to approve the applicant's BRS CP request.
 - b. A thorough review of records indicate the applicant was not briefed on the BRS CP program during or prior to the Soldier meeting the eligibility requirements to receive continuation pay. The applicant met the eligibility requirements 29 December 2022 per the calendar year 2023 BRS CP Guidance.
5. On 9 October 2024, the Chief, Special Actions Branch, National Guard Bureau, provided an advisory opinion which stated:

a. The applicant enlisted in the ■■■ ARNG on 30 December 2010 and enrolled in BRS when it became available. She was eligible for BRS CP in her twelfth year of service ending on 29 December 2023 in accordance with Calander Year 2023 BRS CP Guidance. She is requesting ability to request BRS CP past her twelfth year of service. She provided an LES showing she is enrolled in BRS.

b. After review of the applicant's submission and coordination with the ■■■ ARNG the applicant was not notified or trained per Headquarters, Department of the Army Executive Order 140-21 stating Soldiers in BRS will complete training for CP at least 90 days prior to the last date an individual is eligible through online training, face to face or group training. ■■■ ARNG states the applicant met the eligibility requirement to receive CP BRS and should be eligible to apply past the deadline.

c. It is the recommendation of this office that the applicant's request be approved. She was eligible for BRS CP and was not notified or instructed to complete required training and submit application.

d. This advisory opinion was coordinated with the ■■■ ARNG.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found relief is warranted.

2. The Board concurred with the conclusions of the advisory officials that the applicant was not properly briefed on the requirements for BRS CP and therefore failed to apply for this incentive prior to completing her 12th year of service. The Board determined the applicant's record should be corrected to show she submitted a request for BRS CP prior to 29 December 2023 and her request was approved.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

■■■	■■■	■■■	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 the Army and Army National Guard records of the individual concerned be corrected by showing she submitted a request for BRS CP prior to completing her 12th year of service, which was approved.

12/8/2024

X

CHAIRPERSON

Signed by: BUSH.DONNA.MARIE.1035646074

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 make a payment of continuation pay to each full TSP member of the uniformed services under the jurisdiction of the Secretary who has completed not less than 8 and not more than 12 years of service in a uniformed service; and enters into an agreement with the Secretary to serve for not less than 3 additional years of obligated service.

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 regular component or a reserve component, if the member is performing active Guard and Reserve duty, 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 active Guard or Reserve duty 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 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; plus at the discretion of the Secretary concerned, the amount of monthly basic pay described in subparagraph (A) multiplied by such number of months (not to exceed 6 months) as the Secretary concerned shall specify in the agreement of the member.

//NOTHING FOLLOWS//