

IN THE CASE OF: [REDACTED]

BOARD DATE: 31 December 2024

DOCKET NUMBER: AR20240003054

APPLICANT REQUESTS: exception to policy for payment of Continuation Pay under the Blended Retirement System (BRS).

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

FACTS:

1. The applicant states:

a. She would like to be reconsidered for the continuation of pay; she was told by finance that she was no longer eligible. She opted to enroll in the BRS because Soldiers under 8 years of service were required to attend a BRS briefing years ago. She was instructed that the opportunity for CP would occur, but she had no idea that it was up to the Soldier to initiate this request. The Army automatically enrolls Soldiers into new initiatives after a certain date but when an opportunity such as CP arise, Soldiers are expected to initiate those requests. What additional information can she provide to be reconsidered for CP?

b. According to her retention personnel, the requirement was for Soldiers to initiate CP requests prior to reaching 12 years in service. Over these last 13 years, she has done all the things; to separate herself from her peers and has always, unfortunately chosen the Army first. Now that she is 40 years old, with hard wear and tear in her body from jumping from a perfectly good aircraft, experience beyond her military occupational specialty (MOS) and she has chosen this year to pursue her journey toward motherhood. Unfortunately, this has been a battle for the past 3 years and the Army will not financially support any of the process because she is a single female. This CP pay would assist her in paying for invitro fertilization (IVF) (\$20,000 to \$25,000) so that she can pursue becoming a mother. She has fulfilled this role to many Soldiers and now she cannot seem to get any support from the organization that she has selflessly served for many years. Her goal with submitting this application is to have her consideration for CP overturned and granted as soon as possible. If not, thank you for taking the time to review her application as she has been bold in sharing her most vulnerable experience

in uniform. She has supporting documents that show her infertility struggles since 2020 but was unsure if medical information should be uploaded.

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

a. On 1 March 2011, she enlisted in the Regular Army and served continuously through reenlistments and extensions.

b. Promotion Orders, 20 November 2020 issued by U.S. Army Human Resources Command, promoted her to sergeant first class (SFC) with a date of rank (DOR) of 1 December 2020.

c. Her Enlisted Record Brief (ERB) states her Pay Entry Base Date (PEBD) is 1 March 2011.

d. The applicant completed 12 years of service on 1 March 2023.

e. Promotion Orders Number 0009018878, 31 July 2024 issued by the Department of the Army, promoted her to Master Sergeant (MSG) with a DOR of 1 August 2024.

f. The service record is void of a completed Blended Retirement System (BRS) Continuation Pay (BRS-CP) Request Form.

3. On 3 December 2024, the Office of the Deputy Chief of Staff, G-1, Program Analyst, Compensation and Entitlements Division, provided an advisory opinion which stated after careful review, this office does not support the request for CP. The applicant is required to submit a completed, certified, and approved Calendar Year 2023 (CY23) CP application to support a claim of CP. Supporting documentation and/or statements, along with a clear explanation of why it is believed the record is in error or unjust is required to support the claim.

4. On 5 December 2024, the applicant was provided with a copy of the advisory opinion for comment or rebuttal. She did not respond.

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. One potential outcome discussed was to grant relief based upon evidence showing the applicant was improperly trained on the benefit. However, based upon the available documentation and the findings and recommendation outlined in the G1 advisory opinion, as well as the lack of any rebuttal of the facts outlined in the advisory, the Board concluded there was insufficient evidence of an error or injustice warranting a change to the applicant's military record.

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.

3/31/2025

X

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:

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

a. The Secretary concerned shall pay CP under subsection (a) to a full 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 an active duty member, shall not be less than 2.5 times the member's monthly basic pay.

c. 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.

//NOTHING FOLLOWS//