

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 21 August 2025

DOCKET NUMBER: AR20240007896

APPLICANT REQUESTS: Exception to Policy (ETP) to be paid the Blended Retirement System Continuation Pay (BRS CP) after his 12th year of service based on his Pay Entry Base Date (PEBD).

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 4 (Enlistment/Reenlistment Document – Armed Forces of the United States), 29 August 2023

FACTS:

1. The applicant states:

- His Pay Entry Base Date (PEBD) is 2 April 2012
- Back in the fall, his career counselor told him that he would have to request an ETP in order to be paid the BRS CP after 12-years of service
- That person has since retired and the new career counselor is unable to confirm that information
- He has not been able to obtain an example for the ETP and has been given the runaround
- This application is his fourth contact to resolve the fact he missed out on the BRS CP incentive
- Denial of BRS CP will place him in a financial hardship
- He had been a drill sergeant for the last 6-years and he wanted a change
- He attempted to work through the accessions process to become a warrant officer but was challenging due to his unit did not have an accessions noncommissioned officer
- At the time, he did not want to reenlist because it would have locked him into continuing being a drill sergeant for up to 10-years
- He resorted to a conditional release in order to be able to change career paths and he reenlisted into the U.S. Army Reserve (USAR) Control Group (Individual Ready Reserve)

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

- On 2 April 2012, he enlisted in the Army National Guard of the United States (ARNGUS)
- On 1 April 2018, he was released from the ARNGUS and assigned to the USAR Control Group (Annual Training) due to expiration of active status commitment in the Selected Reserve
- On 24 April 2018, he was assigned to the USAR Troop Program unit by Orders Number C-04-805120, 26 April 2018
- On 7 June 2019, he extended his enlistment in the USAR for 1-year and 5-months for a new expiration of term of service (ETS) of 1 September 2021
- On 20 February 2021, he reenlisted in the USAR for 3-years for a new ETS of 20 February 2024
- On 29 August 2023, he reenlisted in the USAR for assignment in the USAR Control Group (Reinforcement) for 3-years for a new ETS of 29 August 2026
- On 2 April 2024, he obtained 12-years of service
- On 1 July 2024, he was assigned to the USAR Control Group (Reinforcement) by Orders Number 8372592
- Soldier Management Services - WEB Portal (SMS WEB) shows his:
 - ETS date is 28 August 2026
 - PEBD is 2 April 2012

3. On 21 March 2025, in the processing of this case, the Office of the Deputy Chief of Staff G-1 provided an advisory opinion regarding the applicant's request for an ETP to be paid BRS CP after his 12-years of service. The advisory official stated the applicant's request could not be supported because he failed to provide a completed BRS CP application and election form for Calendar Year 2024 (CY24). Additionally, the applicant failed to meet the 4-years of additional service obligation. Supporting documentation properly completed would indicate the authorized multiplier and compliance of the additional service obligation required to be paid BRS CP for CY24.

4. On 28 March 2025, the Army Review Boards Agency Case Management Division provided the applicant the advisory opinion for review and comment. 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 Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive review based on law, policy, and regulation. The Board reviewed and concurred with the Office of the Deputy Chief of Staff G-1 advisory noting the applicant failed to provide a completed BRS CP application and election form for Calendar Year 2024 (CY24). Additionally, the applicant failed to meet the 4-years of additional service obligation (completing 12 years of service on 2 April 2024 and having an ETS date of 28 August 2026). Therefore, the Board denied relief to allow the applicant to receive BRS CP.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	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.

X //Signed//

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. Public Law 114-92, National Defense Authorization Action (NDAA) for Fiscal Year (FY 2016, section 634 (CP for Full Thrift Savings Plan (TSP) Member with 12-Years of Service), (a) CP, the Secretary concerned shall make a payment of CP to each full TSP member of the uniformed services under the jurisdiction of the Secretary who:

- completes 12 years of service; and
- enters into an agreement with the Secretary to serve for an additional 4-years of obligated service

a. Amount, the amount of CP payable to a full TSP member under subsection (a) shall be the amount that is equal to 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; plus at the discretion of the Secretary concerned, the monthly basic pay of the member at 12-years of service multiplied by such number of months (not to exceed 13-months) as the Secretary concerned shall specify in the agreement of the member under subsection (a).

b. Timing of Payment, the Secretary concerned shall pay CP under subsection (a) to a full TSP member when the member completes 12 years of service. If the Secretary concerned also provides CP under subsection (c) to the member, that CP shall be provided when the member completes 12 years of service.

2. Title 37, USC, 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 a member of a Reserve Component, if the member is performing Active Guard/Reserve 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. (2) In the case of a member of a reserve component:

(A) 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
(B) 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 under subsection (a).

3. Deputy Secretary of Defense Memorandum dated 18 December 2019, Subject: Implementation of the BRS, implements guidance for the BRS for the Uniformed Services, which was authorized in Public Law 114-92 section 631 through 635 of the National Defense Authorization Act (NDAA) for Fiscal Year 2016. Members of the Uniformed Service are covered under the provisions of the BRS who served in a Uniformed Service for fewer than 12-years as calculated from their PEBD.

4. Army Regulation 637-1 (Army Compensation and Entitlements Policy) provides Department of the Army (DA) policies for entitlements and collections of pay and allowances for active duty Soldiers. Paragraph 18-26 (Continuation Pay), the BRS provides for CP in exchange for additional service obligation by Soldiers when they reach between the 8 and 12-years point in their career. Soldiers will receive a minimum of 4 times base pay for Reserve component and .5 times base pay for Reserve components if they commit to a minimum of 3-years of additional service.

//NOTHING FOLLOWS//