



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

■
Docket No. 8281-22
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO ■■■■■■■■■■, USN,
■■■■■■■■■■

Ref: (a) Title 10 U.S.C. § 1552
(b) MILPERSMAN 1810-080

Encl: (1) DD Form 149 w/attachments
(2) OCNO memo 7220 Ser N130/22U1636, 14 Nov 22
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to establish enrollment into the Blended Retirement System (BRS).

2. The Board, consisting of ■■■■■■■■■■, and ■■■■■■■■■■ reviewed Petitioner's allegations of error and injustice on 30 November 2022 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 21 November 2017, Petitioner accepted an Inactive Reserve commission for participation in the ■■■■■■■■■■

b. On 6 June 2021, Petitioner completed the ■■■■■■■■■■ and accepted an active duty commission on 7 June 2021.

c. On 7 June 2021, Petitioner reported to ■■■■■■■■■■ for duty.

d. On 30 June 2021, Petitioner detached ■■■■■■■■■■ and reported to ■■■■■■■■■■ on 1 July 2022 for duty.

e. Petitioner's last day to elect to opt-into BRS was 27 July 2021.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN,
[REDACTED]

f. Petitioner completed BRS Opt-in Training (J3OP-US1332) on 19 August 2022.

g. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action. On 29 November 2022, Petitioner concurred with OPNAV (N130) assessment.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. Petitioner met the eligibility criteria for BRS; however, failed to complete the election process as outlined in reference (b). Although Petitioner did not complete the proper administrative requirements, the Board felt that had he received adequate counseling, he would have made the BRS election in a timely manner; therefore, under these circumstances, relief is warranted.

RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner is authorized to opt into BRS within 30 days of receiving this decision document.

A copy of this Report of Proceedings will be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of the reference, has been approved by the Board on behalf of the Secretary of the Navy.

12/2/2022

[REDACTED]
Deputy Director
[REDACTED]