



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

■  
Docket No. 977-23  
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552  
(b) MILPERSMAN 1810-080  
(c) PL 114-92 § 632

Encl: (1) DD Form 149 w/attachments  
(2) Advisory opinion by OCNO (N130G), 24 Jan 23  
(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 reflect retroactive enrollment in the Blended Retirement System (BRS) with four percent Thrift Savings Plan (TSP) matching effective commissioning date.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 9 March 2023 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 18 August 2017, Petitioner enlisted in the U.S. Air Force Reserves for participation in Air Force Reserve Officer Training Corps. Petitioner accepted a Naval regular commission on 28 September 2021. The Navy set Petitioner's date initially entered military service (DIEMS) on this date and automatically enrolled him in the BRS with one percent TSP matching.

b. In November 2022 the Service changed Petitioner's DIEMS to 18 August 2017 due to his previous U.S. Air Force Reserve enlistment, and changed his retirement plan from BRS to the legacy High-3 retirement system.

c. Petitioner was eligible to opt-into the BRS from 15 November 2022 to 5 December 2022.

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

d. Petitioner completed the required BRS Opt-in Course on 27 January 2023.

#### 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. In accordance with reference (b), Petitioner met the eligibility criteria for BRS; however, failed to complete the election process during the BRS election window from 15 November 2022 to 5 December 2022. The Board concluded, had Petitioner received adequate counseling to make the election during the aforementioned period he would have completed the enrollment process. Although Petitioner did not complete the proper administrative requirements, the Board felt that 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 with TSP matching within 45-days of receiving this decision document effective date of commissioning.

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.

3/23/2023

[REDACTED]

Deputy Director

Signed by: [REDACTED] 0