



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

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Docket No. 7498-23
Ref: Signature Date

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

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

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

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion by OPNAV N130G, 13 Sep 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 into the Blended Retirement System (BRS) with retroactive matching Thrift Savings Plan.

2. The Board, consisting of [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 20 September 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 22 September 2017, Petitioner enlisted in the Naval Reserves for 8 years to participate in Naval Reserve Officer Training Corps (NROTC) which established his date initially entered into military service (DIEMS). On 19 March 2021, Petitioner accepted a regular commission and entered active duty—first day to elect to opt-in to the BRS was on 5 September 2023. On 7 September 2023 he completed the required BRS Opt-in Training.

b. In the advisory opinion, 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.

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[REDACTED]

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 initially entered military service prior to 31 December 2017 and participated in NROTC. Petitioner then accepted a regular commissioned on 19 March 2021, however Petitioner's DIEMS was erroneously set to his active duty service date. This erroneous action automatically grandfathered Petitioner into the BRS. The Service corrected Petitioner's DIEMS to the date he initially joined the Navy to participate in NROTC and correctly opened a "BRS Eligible" window on 5 September 2023. The Board determined that had Petitioner's record correctly reflected his DEIMS he would have elected to opt-in to the BRS in a timely manner. Therefore, the Board determined under these circumstances, relief is warranted.

RECOMMENDATION

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

Petitioner completed BRS Opt-in Training course and enrolled in the BRS on 19 March 2021.

Note: Defense Finance and Accounting Services will audit Petitioner's pay record to determine and make adjustments to Thrift Savings Plan account warranted by the Board's recommendation.

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.

10/14/2023

[REDACTED]