



**CUI//SP-MIL/SP-PRVCY**

**UNITED STATES AIR FORCE  
BOARD FOR CORRECTION OF MILITARY RECORDS**

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**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

*Work-Product*

**DOCKET NUMBER:** BC-2021-03851

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

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**APPLICANT'S REQUEST**

His election to opt-in to the Blended Retirement System (BRS) be reversed and he be allowed to remain under the legacy retirement system.

**APPLICANT'S CONTENTIONS**

He was discharged from active duty in 2018 and transferred to the Inactive Ready Reserve. He recently entered the Active Reserve and noticed that the retirement option on his Leave and Earnings statement was blank. After he inquired with his personnel and finance office, he was told that he was under the Blended Retirement System plan. However, he has not received the automatic contributions, nor has he received any notice of enrollment for the Thrift Savings Plan. If he remains under the Blended Retirement System, he will effectively lose two years of retirement contributions and potential earnings. As such, he wishes to be placed back under the legacy system.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is an Air National Guard captain (O-3), who has accrued 2,018 retirement points. Since he accrued fewer than 4,320 points as of 31 December 2017, he was grandfathered under the current retirement system but was eligible to opt-in to the Blended Retirement System.

The Military Personnel Data System indicates on 15 June 2017, the applicant completed Blended Retirement System training and on 3 January 2018 he elected to opt in.

On 1 June 2018, according to the applicant's DD Form 214, *Certificate of Release or Discharge from Active duty*, he was discharged from the Regular Air Force after serving 5 years and 3 days, and was transferred to the Air Force Reserve.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit D.

**APPLICABLE AUTHORITY:**

Sections 631 through 635 of Public Law 114-92, the National Defense Authorization Act for Fiscal Year 2016, amended in Public Law 114-80, National Defense Authorization Act for Fiscal Year 2017.

**AFBCMR Docket Number BC-2021-03851  
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Controlled by: SAF/MRB  
CUI Categories: SP-MIL/SP-PRVCY  
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On 27 January 2017, the Deputy Secretary of Defense implemented guidance for the newly created retirement system for the Uniformed Services, which was enacted in the 2016 National Defense Authorization Act for Fiscal Year 2016. This system, called the Blended Retirement System combines the traditional legacy retirement pension, also known as a defined benefit, with a defined contribution benefit into a Thrift Savings Plan. The Blended Retirement System went into effect on 1 January 2018. Service members who enter the Uniformed Services on or after 1 January 2018, are automatically enrolled in the Blended Retirement System.

Active component Service members with 12 years (or more) of service prior to 31 December 2017, and National Guard and Reserve service members who have accrued more than 4,320 retirement points as of 31 December 2017, are grandfathered under the legacy retirement system and their current retirement plan will not change.

Active component Service members with fewer than 12 years of service as of 31 December 2017, and members of the National Guard or Reserve who have accrued fewer than 4,320 points as of 31 December 2017, are also grandfathered under the current retirement system but may choose to opt-in to the Blended Retirement System. Service members who chose to enroll had to affirm on the myPay website that they had completed the mandatory training and acknowledge that the decision to enroll in the Blended Retirement System is irrevocable. The opt-in window for most Airmen closed on 31 December 2018.

For more information see Exhibit C.

## **AIR FORCE EVALUATION**

NGB/A1PP, recommends granting the application. While the applicant opted into the Blended Retirement System on 3 January 2018, it has been noted that there was confusion regarding the placement of the opt-in link, the required training, and the rules surrounding the opt-in process. For this reason, NGB recommends that the applicant be allowed to remain in the Legacy High 3 retirement plan.

The complete advisory opinion is at Exhibit D.

## **APPLICANT'S REVIEW OF AIR FORCE EVALUATION**

The Board sent a copy of the advisory opinion to the applicant on 20 April 2022 for comment (Exhibit E), but has received no response.

## **FINDINGS AND CONCLUSION**

1. The application was timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is the victim of an error or injustice. The Board concurs with the rationale and recommendation of NGB/A1PP and finds a preponderance of the evidence substantiates the applicant's contentions. The Board notes that at the time of the applicant's election, the Blended Retirement System module had just been introduced and there was confusion regarding the placement of the opt-in link, the required training, and the rules surrounding the opt-in process. Given the applicant has not received any matching contributions for the Blended Retirement System and the fact the location of the link was moved after the first month of release, the Board finds a preponderance of the evidence

substantiates the applicant's contentions. Therefore, the Board recommends the applicant's records be corrected as indicated below.

## **RECOMMENDATION**

The pertinent military records of the Department of the Air Force relating to the APPLICANT be corrected to show that on 3 January 2018, he did not elect to opt into the Blended Retirement System and instead remained under the legacy retirement plan.

## **CERTIFICATION**

The following quorum of the Board, as defined in Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2021-03851 in Executive Session on 17 May 22:

*Work-Product*, Panel Chair  
*Work-Product*, Panel Member  
*Work-Product*, Panel Member

All members voted to correct the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, dated 8 November 21.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Blended Retirement System Guidance.
- Exhibit D: Advisory opinion, NGB/A1PP, dated 6 April 22.
- Exhibit E: Notification of advisory, SAF/MRBC to applicant, dated 20 April 2022.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.

*Work-Product*