



**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-2022-02233

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

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**APPLICANT'S REQUEST**

She be eligible to receive her Continuation Pay (CP) under the Blended Retirement System (BRS).

**APPLICANT'S CONTENTIONS**

In 2019, she reenlisted prior to her 12 year anniversary of her pay date. At that time her Military Personnel Flight informed her that the only way she could reenlist was for the reason of transferring her Post 9/11 GI Bill to her children, so she reenlisted for that purpose. However, she was not informed about the Blended Retirement System Continuation Pay bonus. She recently discovered that she was eligible for Continuation Pay, but because the program is so new, she, like many others, were not properly educated on the bonus and the timelines for applying. She is submitting this request in hopes that her current enlistment can count towards her required service obligation for Continuation Pay and she can still receive the bonus.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is an active duty Air Force technical sergeant (E-6).

The Military Personnel Data System (MilPDS) shows that the applicant's actual "Pay Date" (also referred to as the Pay Entry Base Date [PEBD]) is 1 July 2008. Since she had less than 12 years of service as of 31 December 2017, she was eligible to opt-in to the Blended Retirement System and did so on 16 January 2018. Furthermore, under the Blended Retirement System, the applicant was eligible for Continuation Pay, provided her election was made prior to the 12th anniversary of her "Pay Date" (1 July 2020) and she committed to a four-year military service obligation from the Continuation Pay effective date. In addition, MilPDS shows that the applicant's current Date of Separation is 28 January 2024.

On 18 August 2022, according to "Continuation Pay Statement of Understanding and Election," provided by the applicant, she requested Continuation Pay. On that same date, her commander approved her request; however, the request was initiated after the 1 July 2020 anniversary of her 12th year from her Pay Date.

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

**AFBCMR Docket Number BC-2022-02233  
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Controlled by: SAF/MRB  
CUI Categories: SP-MIL/SP-PRVCY  
Limited Dissemination Control: N/A  
POC: [SAF.MRBC.Workflow@us.af.mil](mailto:SAF.MRBC.Workflow@us.af.mil)

## **APPLICABLE AUTHORITY/GUIDANCE**

**General Blended Retirement System Guidance:** 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.

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.

Active component Service members with fewer than 12 years of service as of 31 December 2017, calculated from their Pay Entry Base Date [PEBD] (for the Air Force it is referred to as the “Pay Date”), 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.

**Guidance on Continuation Pay:** In accordance with AFI 36-3012, Military Entitlements, Chapter 4, Continuation Pay and Personnel Services Delivery (PSD) Guide, Blended Retirement System (BRS) Continuation (CP) Execution, Organization, and Responsibilities:

Members of the Uniformed Services who are covered by the Blended Retirement System are eligible to receive a one-time, mid-career bonus payment in exchange for an agreement to perform additional obligated service. The amount is determined by applying a multiplier to the member’s monthly base pay. For RegAF Airmen, the multiplier is 2.5 and for ANG or AFR Airmen, the multiplier is 0.5.

Service members eligible to receive continuation pay must have completed not less than 8 and not more than 12 years of service, as computed from the members Pay Entry Base Date (otherwise referred to in the Air Force as the “Pay Date”). In addition, the member must complete the Statement of Understanding and Election (SOU), obtain their commander’s approval for Continuation Pay, and commit to a four year military service obligation. The election for Continuation Pay must be made prior to the member’s 12th year of service based on pay date but no earlier than 90 days in advance.

According to a myPers article, *Blended Retirement System Continuation Pay*, updated on 12 March 2021, “Airmen will be notified of their potential eligibility for BRS CP and receive a BRS CP Election SOU via myPers messaging starting approximately 90 days prior to the potential BRS CP effective date.” In addition, the Continuation Pay fact sheet pulled from myPers states that notification for Continuation Pay will start 60 days before a member’s 12th year of service.

For more information, see Exhibit C.

## **AIR FORCE EVALUATION**

AFPC/DP2SSM recommends denying the application. On 4 March 2020, the applicant was initially notified to acknowledge her eligibility for Continuation Pay via myPers. The notification was subsequently sent four additional times on 11 March, 18 March, 25 March and 1 April; however, she never acknowledged receipt and never signed the Statement of Understanding. Furthermore, it wasn’t until submitting an application to the BCMR that the applicant submitted

an inquiry to AFPC about Continuation Pay, which was after the anniversary of her 12 year pay date (1 July 2020) and past her window to elect the benefit.

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 22 September 2022 for comment (Exhibit E), and on 5 October 22 the applicant submitted a response. In her response, the applicant reiterates that her Military Personnel Flight never informed her about Continuation Pay and she was unaware that automated notifications about the program were sent to her from myPers. In this regard, the applicant notes that the notifications were sent when the COVID-19 pandemic had just begun, and she was working in a high ops tempo office with a primary focus of completing the mission. She received hundreds of emails every week and often myPers notifications are routine matters that require no action on the part of the member. Had she known about Continuation Pay and been aware that a message would come from myPers, she would have most certainly been more mindful of the e-mails and would have completed the necessary paperwork. In addition, her current commander has since signed the Continuation Pay Statement of Understanding and supports her request for the bonus.

The applicant goes on to state that her failure to complete the Statement of Understanding is the only thing preventing her from receiving Continuation Pay, but she directly attributes this to the poor messaging throughout the Air Force regarding the benefit and the lack of training and diligence by individuals tasked with informing members of their entitlements. She guarantees she is not the only member who had no knowledge of the program and has spoken with several service members who state they had no knowledge of the program either.

She has served honorably for 14 years, and she is willing to extend or re-enlist now to honor the 48-month military service obligation required to receive the bonus.

The applicant's complete response is at Exhibit F.

### **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. While the Board notes the recommendation of AFPC/DP2SSM against correcting the record, the Board finds a preponderance of the evidence substantiates the applicant's contentions. The Board notes that when the myPers e-mails notifying her of her eligibility for Blended Retirement System Continuation Pay in March and April of 2020, it was right at the start of the COVID-19 Pandemic. As such, the Board finds it reasonable that the high ops tempo of her office, the adjustment to the COVID-19 working environment and the infancy of the Continuation Pay program caused her to overlook the notifications and the requirements to submit her request for Continuation Pay. Furthermore, the applicant has since completed the Statement of Understanding, which her commander approved. Therefore, given the totality of the circumstances surrounding the applicant's situation, the Board recommends correcting the applicant's records as indicated below.

**RECOMMENDATION**

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show that on 1 June 2020, she submitted a timely and effective Continuation Pay Statement of Understanding and Election to accept Continuation Pay in accordance with Public Law 114-80; her election for Continuation Pay was accepted; and she received a 48 month active duty service commitment in exchange for the approved Continuation Pay election.

**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-2022-02233 in Executive Session on 6 Dec 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, w/atchs, dated 18 August 2022.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Blended Retirement System Guidance.
- Exhibit D: Advisory opinion, AFPC/DP2SSM, w/atchs, dated 20 September 2022.
- Exhibit E: Notification of advisory, SAF/MRBC to applicant, dated 22 September 2022.
- Exhibit F: Applicant’s response to advisory, w/atchs, dated 5 October 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.

X **Work-Product** 11/21/2023

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Board Operations Manager, AFBCMR  
Signed by: **Work-Product**