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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-02703

COUNSEL: NONE

HEARING REQUESTED: NO

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 mobilized to Kuwait for Operation INHERENT RESOLVE from October of 2017 until February 2018 and assigned to the [Work-Prod...] Air Expeditionary Wing. During this time, he was the Production Superintendent and in charge of over 12 F-16s and 300 personnel. When he was checking his Leave and Earnings Statement (LES), it was a busy time at work and he unintentionally opted into the BRS without knowing. He was not educated on the BRS at his home guard base nor his deployed location. He has over 24 years of service and as a Senior Master Sergeant, he would not have elected to be in the BRS without knowing what it was and how it would impact his retirement. When he returned from deployment, he tried to get it corrected at his wing, but his finance section and Military Personnel Flight (MPF) said it was not reversible and that they did not know the proper channels to fix the error.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air National Guard senior master sergeant (E-8), who has accrued 3,393 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 29 November 2017, the applicant completed Blended Retirement System training and on 10 January 2018 he elected to opt in.

According to the applicant's DD Form 214, *Certificate of Release or Discharge from Active duty*, with inclusive dates 3 October 2017 through 2 March 2018, he completed a period of active duty service and was deployed to [Work-Product] Kuwait from 12 October 2017 through 29 January 2018.

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

APPLICABLE AUTHORITY:

AFBCMR Docket Number BC-2021-02703

[REDACTED]

[REDACTED]

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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. 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 denying the application. The policy set forth by the Secretary of Defense on 27 January 2017, Attachment 1, Para. 3(d) and 3(e) mandated all eligible Uniformed Service members complete BRS Opt-In Training prior to making the election to enroll. It also states that the decision by a member eligible to elect to enroll in the BRS is irrevocable. Throughout the notification process and DoD-required training, the service members were reminded that the decision to opt-in to the BRS was irrevocable; therefore, once the opt-in election was made, no changes would be allowed. According to the applicant's PCARS report he completed the training on 29 November 2017 and opted into the Blended Retirement System on 10 January 2018.

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 28 November 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 notes the recommendation of NGB/A1PP to deny the applicant's request, but finds a preponderance of the evidence substantiates the applicant's contentions. The Board further 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 was deployed during the time the program was introduced 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 10 January 2018, the applicant 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-2021-02703 in Executive Session on 7 Feb 23:

-  Panel Chair
-  Panel Member
-  Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 5 October 2022.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Blended Retirement System Guidance.
- Exhibit D: Advisory opinion, NGB/A1PP, dated 22 November 2022.
- Exhibit E: Notification of advisory, SAF/MRBC to applicant, dated 28 November 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.

7/3/2025