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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-03118

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COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

Her election to opt-in to the Blended Retirement System be reversed and she be allowed to remain under the legacy retirement system.

APPLICANT'S CONTENTIONS

According to her Leave and Earnings Statements (LES), she has not received any matching contributions under the Blended Retirement System. She has diligently worked with her Military Personnel Flight (MPF) to correct the error, and while they confirmed with finance that she is not under the Blended Retirement System, she has been unable to get her official personnel records to display the correct High-3 retirement plan.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air National Guard first lieutenant (O-2), who has accrued 2,548 retirement points as of 6 February 2023. However, since she accrued fewer than 4,320 points as of 31 December 2017, she was grandfathered under the current retirement system but was eligible to opt-in to the Blended Retirement System.

The Military Personnel Data System (MilPDS) indicates on 10 July 2017, the applicant completed Blended Retirement System training and on 5 February 2018, she elected to opt in.

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.

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.

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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. The applicant's record in the Military Personnel Data System (MilPDS) shows Retirement Plan Code "B" (i.e. Blended Retirement System). It is not clear if the applicant knowingly opted-in to Blended Retirement System or was incorrectly placed in the system; however, it has been verified by DFAS that the Defense Joint Military Pay System (DJMS) does not show the applicant as enrolled in BRS and that she has not received any matching Thrift Savings Plan (TSP) contributions. It has also been verified by DFAS that if the member enrolled correctly via myPay, there should have been an automated notice sent to DJMS to show the member as enrolled and start the matching contributions. Therefore, it is reasonable to believe that there could have been an error in MilPDS. The applicant should be allowed to stay in the High-3 Retirement System since she has not received TSP contributions since 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 26 Jan 23 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 the applicant has not been receiving matching retirement contributions and according to DJMS she is not enrolled in the Blended Retirement System. Given the applicant's military pay record does not show her enrollment and the fact that she has not received any matching contributions, the Board finds it reasonable that there could have been an error with an update to MilPDS. 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 APPLICANT be corrected to show that on 5 February 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-2022-03118 in Executive Session on 7 Mar 23:

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 27 September 2022.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Blended Retirement System Guidance.
- Exhibit D: Advisory opinion, NGB/A1PP, dated 20 January 2023.
- Exhibit E: Notification of advisory, SAF/MRBC to applicant, dated 26 January 2023.

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.

3/9/2025

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