



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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-00214

COUNSEL: NONE

HEARING REQUESTED: YES

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

She was deployed to [REDACTED] from July 2018 to January 2019 and was made aware of the new system but did not select the option to opt in because she had almost 20 years of service in the military, and it would be of no benefit. She did not receive adequate training on the program and the system just decided for her without discussion [sic] or education. This erroneous election will negatively impact her family and will eliminate about \$950 from her retirement.

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 3,252 retirement points and has 20 years of satisfactory service 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 indicates on 4 November 2017, the applicant completed Blended Retirement System training and on 3 January 2018, she elected to opt in.

According to the applicant's DD Form 214, *Certificate of Release or Discharge from Active Duty* and during the time that MilPDS shows she opted into the Blended Retirement System, the applicant completed a non-contingency tour in support of [REDACTED] from 30 January 2017 through 18 July 2018.

For period of service 19 July 2018 through 27 February 2019, another DD Form 214 shows the applicant completed a period of active duty service and was deployed to [REDACTED]

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

APPLICABLE AUTHORITY/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. 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.

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 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 fact the location of the link was moved after the first month of release due to erroneous opt-in selections, 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.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show on 3 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-2023-00214 in Executive Session on 7 Mar 23:

[REDACTED] Panel Chair

[REDACTED] Panel Member

[REDACTED] Panel Member

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

Exhibit A: Application, DD Form 149, w/atchs, dated 6 January 2023.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Blended Retirement System Guidance.

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.

