



**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-2023-02017

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

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**APPLICANT'S REQUEST**

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

**APPLICANT'S CONTENTIONS**

He opted into the BRS in January of 2018 and immediately filed all required paperwork and completed the Statement of Understanding (SOU) for CP prior to reaching the 7 February 2018, 12-year anniversary of his "Pay Date." However, his Military Personnel Flight (MPF) at [Air Base], Germany stated he fell into a "grey area" and was ineligible for CP. While he submitted a myPers case, he can no longer see it in the system, but he believes his MPF misinterpreted the guidance, and he was entitled to CP. Furthermore, the applicant indicates he did not receive the proper notification because the short amount of time between the start of the program and the date he would have needed to make his CP election.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is an active-duty Air Force master sergeant (E-7).

The Military Personnel Data System (MilPDS) shows the applicant's actual "Pay Date" (also referred to as the Pay Entry Base Date [PEBD]) is 7 February 2006. Since he had less than 12 years of service as of 31 December 2017, he was eligible to opt-in to the BRS and did so on 3 January 2018. Furthermore, under the BRS, the applicant was eligible for CP, provided his election was made prior to the 12th anniversary of his "Pay Date" (7 February 2018) and he obtained 48 months of retainability from the effective date.

On 9 September 2016, according to AF Form 1411, *Extension or Cancellation of Extensions of Enlistment in the Regular Air Force (REGAF)/Air Force Reserve (AFR)/Air National Guard (ANG)*, the applicant requested his current enlistment be extended for a period of 23 months for the purpose of "PCS" and the applicant was given a new Date of Separation (DOS) of 16 December 2019.

On 21 September 2018, according to AF Form 1411, *Extension of Enlistment in the Air Force*, the applicant requested a second extension to his current enlistment for a period of 12 months for the purpose of "Assignment" and the applicant was given a new DOS of 16 December 2020.

On 11 December 2019, according to AF Form 1411, the applicant requested a third extension to his current enlistment for a period of six months for the purpose of "Assignment" and the applicant was given a new DOS of 16 June 2021.

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On 3 June 2020, according to AF Form 1411, the applicant requested a fourth extension to his current enlistment for a period of 12 months for the purpose of “Assignment” and the applicant was given a new DOS of 16 August 2021.

On 9 June 2021, according to DD Form 4, *Enlistment/Reenlistment Document – Armed Forces of the United States*, the applicant reenlisted for an unspecified number of years that allowed him to serve up to his High Year of Tenure (HYT).

According to MilPDS, the applicant’s HYT is 7 February 2030.

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

**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. However, according to the CP PSD Guide, dated 26 July 2018, paragraph 3.3. for members electing BRS CP in CY18, the effective date is equal to the day the member completes their 12th year of service, calculated using the member’s pay date. Airman should be offered BRS CP no later than 180 days prior to the BRS CP effective date. *Exception:*

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Members reaching 12 years of service in January-April 2018. The chart below identifies the anticipated notification, acknowledgment, and SOU election time frame:

Mbr reaches 12 years of service (YOS) in:	FSS notifies member of eligibility on/about:	Acknowledges notification of eligibility NLT:	Signs SOU making election between (see note 1):
January 2018	ASAP	ASAP	1 January 2018 – 12 YOS
February 2018	ASAP	ASAP	1 January 2018 – 12 YOS
March 2018	ASAP	ASAP	1 January 2018 – 12 YOS

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.

**AIR FORCE EVALUATION**

AFPC/DPMSSM (Special Pays), recommends denying the application. Based on the applicant’s 7 February 2006 “Pay Date,” the applicant’s 12-year anniversary was on 7 February 2018. While the applicant alleges he was misadvised by his MPF and that he submitted a myPers incident regarding CP, the myPers does not show any incident regarding their request for CP only for opting into the BRS in 2017. In this regard, the applicant has provided no evidence to support his claim.

The complete advisory opinion is at Exhibit C.

**APPLICANT’S REVIEW OF AIR FORCE EVALUATION**

The Board sent a copy of the advisory opinion to the applicant on 9 August 2023 for comment (Exhibit D), 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. While the Board notes the recommendation of AFPC/DPMSSM, the Board finds that most service members are typically given notification between 90-120 days prior to the 12-year anniversary date, but in the applicant’s situation the program, or the ability to opt into BRS began on 1 January 2018. As such, the applicant opted into the BRS on 3 January 2018 and based on the 7 February 2018, 12-year anniversary of his “Pay Date,” he would have had less than 30 days to be notified and opt into the CP program. Furthermore, the Air Force Personnel Services Delivery Guide on Continuation Pay states that for members who reach 12 years of service in February 2018, the FSS is supposed to notify the applicant “ASAP” of their eligibility; however, this guide was not published until 26 July 2018, after the applicant’s 12-year anniversary date had passed. Given the program had just been released, the confusion surrounding the procedures for the BRS program, and the fact the applicant has the retainability required for CP election, the Board finds sufficient evidence to grant the applicant’s request. Therefore, 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 7 February 2018, the applicant submitted a timely and effective Continuation Pay Statement of Understanding and Election to accept Continuation Pay in accordance with Public Law 114-80; his election for Continuation Pay was accepted; and the applicant 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 Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2023-02017 in Executive Session on 13 Feb 24:

*Work-Product* [redacted] Panel Chair  
*Work Product* [redacted] Panel Member  
*Work-Product* [redacted] Panel Member

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

- Exhibit A: Application, DD Form 149, dated 8 June 2023.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, AFPC/DPMSSM, w/atchs, dated 3 August 2023.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 9 August 2023.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

4/24/2024

*Work-Product*