



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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-03374

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

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

APPLICANT'S CONTENTIONS

He did not receive his notification of eligibility for BRS CP due to an issue with the myFSS notification system and was unable to submit his BRS CP Statement of Understanding (SOU) prior to the 12-year anniversary of his Pay Date. Service members should receive a briefing regarding their eligibility for the program, rather than relying on system generated emails, which sometimes fail to send the appropriate notifications and cause members to miss their window of opportunity.

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 the applicant's Pay Date (also referred to as the Pay Entry Base Date [PEBD]) is 16 August 2011. 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 8 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 (16 August 2023) and he obtained 48 months of retainability from that date.

On 9 October 2023, according to *Continuation Pay Statement of Understanding and Election*, the applicant requested CP, and on 10 October 2023, the applicant's commander approved the request.

According to MilPDS, the applicant's date of separation (DOS) reflects 24 May 2028, which satisfies the four-year retainability requirement for BRS CP.

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

APPLICABLE AUTHORITY/GUIDANCE

Public Law 114-92, Fiscal Year (FY) 2016 National Defense Authorization Act (NDAA), Sections 631 through 635; amended in Public Law 114-80, FY 2017 National Defense Authorization Act. 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 FY 2016 NDAA. This

AFBCMR Docket Number BC-2023-03374

Controlled by: SAF/MRB

Limited Dissemination Control: N/A

POC: SAF.MRBC.Workflow@us.af.mil

[REDACTED]

system, called the Blended Retirement System (BRS), combines the traditional legacy retirement pension, also known as a defined benefit, with a defined contribution benefit into a Thrift Savings Plan. The BRS went into effect on 1 January 2018. Service members of the active component with fewer than 12 years of service as of 31 December 2017, calculated from their PEBD (Pay Date), and members of the Air National Guard (ANG) or Air Force Reserve (AFR) who have accrued fewer than 4,320 points as of 31 December 2017, are grandfathered under the current retirement system but may opt-in to the BRS.

AFI 36-3012, *Military Entitlements*, Chapter 4, Continuation Pay; Personnel Services Delivery Guide (PSDG), *Blended Retirement System (BRS) Continuation (CP) Execution, Organization, and Responsibilities*. Members of the Uniformed Services, who are covered by the BRS, 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 Regular Air Force Airmen, the multiplier is 2.5 and for ANG or AFR Airmen, the multiplier is 0.5. Service members eligible to receive CP must have completed not less than 8 and not more than 12 years of service, as computed from the member's PEBD. In addition, the member must complete the Statement of Understanding and Election (SOU), obtain commander's approval, and commit to a four year military service obligation. The election for CP 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 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 myPers Continuation Pay Fact Sheet states notification for CP will start 60 days before a member's 12th year of service.

AIR FORCE EVALUATION

AFPC/DPMSSM (Special Pays) recommends granting the applicant's request, indicating there is evidence of an error or injustice. On 15 May 2023, the applicant was sent notification of eligibility for BRS CP; however, due to a system glitch he did not receive any follow-up notifications. The applicant elected CP on 9 October 2023, but did not have proper guidance nor ample time to complete the SOU prior to the anniversary of his 12-year Pay Date (16 August 2023).

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 6 November 2023 for comment (Exhibit D), and the applicant replied on 7 November 2023. In his response, the applicant contends the initial e-mail notification, dated 15 May 2023, was sent to an inactive e-mail address.

The applicant's complete response is at Exhibit E.

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 AFPC/DPMSSM and

[REDACTED]

finds a preponderance of the evidence substantiates the applicant's contentions. System errors during the administrative process, prevented the applicant from receiving proper notifications to complete his election for BRS CP within the required period. 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 16 August 2023, 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 1.5, considered Docket Number BC-2023-03374 in Executive Session on 8 February 2024:

[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, dated 13 October 2023.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, AFPC/DPMSSM, w/atchs, dated 3 November 2023.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 6 November 2023.
- Exhibit E: Applicant's Response, w/atchs, dated 7 November 2023

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.11.9.

5/9/2025

X [REDACTED]

Board Operations Manager, AFBCMR

Signed by: [REDACTED]