

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 26 March 2025

DOCKET NUMBER: AR20240005024

APPLICANT REQUESTS: correction of records to reflect she opted out of the Blended Retirement System (BRS) retirement plan and show "Choice" vice "Blended."

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- Leave and Earnings Statement (LES)
 - 1- 31 January 2023 LES
 - 1 – 28 February 2023 LES
 - 1 – 31 March 2023
- DA Form 4187 (Personnel Action) dated 27 August 2023; shows she submitted a personnel action request to have her retirement plan changed back to "Choice"; she states her retirement plan was changed when she accessed into the Active Guard/Reserve (AGR)
- Case Management System (CMS) Defense Finance Accounting System (DFAS) print screen dated 9 November 2023:
 - indicates the applicant's account was corrected to reflect Opt-In on the previous CMS case file
 - she verified on 26 December 2018 through the link in MyPay; BRS enrollment is irreversible
 - Military Pay Operations referred her to the Army Review Boards Agency

FACTS:

1. The applicant states in effect:

- Her retirement plan erroneously changed from Choice to BRS
- CMS DFAS indicted her change from Choice to Blended occurred on 26 December 2018
- her LES reflected "Choice" until "Blended" appeared in March 2023.
- she has filed several requests to the S-1 and CMS to resolve her request

- she joined the Army at 18 and loves it; has almost 10 years and no intention of leaving before completing 20 years

2. A review of the applicant's service records show the following on:

- 24 November 2014, she enlisted in the Missouri Army National Guard (MOARNG) and continued service through extensions and reenlistments
- DA Form 4836 (Oath of Extension of Enlistment or Reenlistment) dated 11 August 2020; shows she extended her enlistment in the Florida Army National Guard (FLARNG) by a period of 2 years changing her Expiration Term of Service (ETS) to 23 November 2022
- DA Form 4836 dated 3 January 2022, extending her enlistment in the FLARNG by a period of 3 years changing her ETS to 23 November 2025
- 19 April 2022, Orders Number 0001778897 promoted the applicant to the rank/grade of staff sergeant (SSG)/E-6, effective 22 March 2022
- the applicant remains a member in the ARNG

4. On 25 February 2025, in the processing of this case the FLARNG, Senior Human Resource Officer, provided an advisory opinion regarding the applicant's request to change her retirement plan to "Choice."

a. Their research is consistent with DFAS determination in CMS cases 28081886 and 25947541 in that the applicant opted into BRS via MyPay on 26 December 2018, and that election was updated in the Defense Joint Military Pay System Reserve Component (DJMS-RC) at that time. When the applicant was accessed Title 32 AGR in Florida in 2022, the applicant's original BRS election from 2018 was updated accordingly in DJMS-AC (Active Component).

b. Based on our findings, recommendation is to non-concur with the applicant's request to change the retirement election that she voluntarily made via MyPay within days of the BRS opt-in window closing in 2018, more than three years prior to when she was accessed into the Title 32 AGR program. Although career changes since the election may mean that the legacy "high-3" retirement plan is now more favorable based on anticipated years of service, the decision the applicant made at the time is irrevocable.

5. On 11 March 2025, in the processing of this case coordinated and with the assistance of the FLARNG and the Blended Retirement System Coordinator, the National Guard Bureau, Chief, Special Actions Branch, provided an advisory opinion regarding the applicant's request to be removed from BRS and returned to the high 36 system.

a. The FLARNG and the BRS Policy Coordinator did a review of the applicant's claim and concluded that the applicant had opted in BRS on 26 December 2018 via "MyPay". The review of this concludes that the applicant did transfer to BRS per internal review by the FLARNG United States Property and Fiscal Office (USPFO), and the HRC BRS policy team, and they both agree that the applicant switched from legacy to BRS on 26 December 2018, and therefore this office recommends disapproval of the applicant's request.

b. The applicant states that her LES reflected the word "CHOICE" under retirement plan, and that the status changed in March 2023 per her (LES) to "BLENDED" showing that the applicant was now under the BRS.

c. In discussion with the BRS policy coordinator regarding the applicant's claim of the switch from "CHOICE" to "BLENDED", it was revealed that there is delay in the system when Army National Guard Soldiers are in a M-Day status and switch their status to AGR as it pertains to the LES, and therefore Soldiers have confusion to what their retirement plan is, however the Soldier did transfer to BRS on 26 December 2018.

6. On 19 March 2025, the applicant was provided with a copy of the advisory opinion for comment or rebuttal. She did not respond.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive review based on law, policy, and regulation. Upon review of the applicant's petition, and available military records, the Board reviewed and concurred with the NGB advisory noting the FLARNG and the BRS Policy Coordinator did a review of the applicant's claim and concluded that the applicant had opted in BRS on 26 December 2018 via "MyPay". The review of this concludes that the applicant did transfer to BRS per internal review by the FLARNG USPFO, and the HRC BRS policy team, and they both agree that the applicant switched from legacy to BRS on 26 December 2018. Therefore, the Board denied relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
XXX	XXX	XXX	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

X //SIGNED//

CHAIRPERSON

I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Title 10, U.S. Code, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.

2. Deputy Secretary of Defense Memorandum, Implementation of the Blended Retirement System, dated 27 January 2017, advised the Blended Retirement System (BRS) was to go into effect 1 January 2018. BRS offers service members portable government retirement savings, provides the Department of Defense (DoD) greater force management flexibility and is a key step in modernizing DoD's ability to recruit, retain and maintain the talent required for military readiness, while reducing the direct cost to the American taxpayer.

a. Eligibility: Service members who enter the military on or after 1 January 2018, will automatically be enrolled in BRS. Service members who enter service on or before 31 December 2017 are grandfathered into the legacy high-3 retirement system. However, service members in the active component as of 31 December 2017, who have served fewer than 12 years, or service members in the Reserve component who have accrued less than 4,320 retirement points as of 31 December 2017, and are in a paid status, will have the option of electing BRS or to remain in the legacy retirement system.

b. Those currently serving members who were eligible to opt into BRS would have an entire year to make their opt-in decision. The opt-in or election period for BRS began 1 January 2018 and concluded on 31 December 2018. The decision to opt-in is irrevocable.

3. DoD Financial Management Regulation 7000.14-R, Volume 7B (Military Pay Policy) establishes and enforces the requirements, principles, standards, systems, procedures, and practices necessary for complying with financial management statutory and regulatory requirements for the Department of Defense and is designed to govern financial management within the Department of Defense, ensuring compliance with relevant laws and regulation and states:

a. Blended Retirement System Retirement Plan (BRS) became effective 1 January 2018. In most cases, retired or retainer pay is the product of multiplying the retired pay base by the years of service multiplier. The retired pay base is determined by using the active duty basic pay entitlement of the member:

- BRS is the retired pay system for all Service members who entered military service on or after 1 January 2018. All members serving as of 31 December 2017, were grandfathered under the applicable legacy retirement system
- the law permits active duty Service members with less than 12 years of service on 31 December 2017, or Service members in the Reserve Component who were in a paid status and accrued less than 4,320 retirement points as of 31 December 2017, the option of electing to be covered under the BRS or to remain with their applicable legacy retirement system
- the law provides a one year election period for those Service members eligible to opt into BRS from 1 January 2018, and ends on 31 December 2018; the decision to opt into BRS is irrevocable

b. High 3 High-Three Average (High 36 Month Average) a legacy military retirement system covered Uniformed Service members who entered the military service on or after 8 September 1980, the retired pay base is generally the average of the highest three years (36 months) of monthly basic pay to which the member received for any 36 months of active service whether consecutive or not.

//NOTHING FOLLOWS//