

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 28 May 2025

DOCKET NUMBER: AR20240008774

APPLICANT REQUESTS: request an Exception to Policy (ETP) permitting retroactive enrollment in the Blended Retirement System (BRS).

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

- DD Form 149 (Application for Correction of Military Record)
- Leave and Earnings Statement (LES), 31 July 2023 - reflective of the applicant's pay and entitlements for the month of July 2023; enrolled in the BRS
- LES, 31 August 2023 – reflective of the applicant's pay and entitlements for the month of August 2023; enrollment in the legacy/high-3 retirement plan
- Certificate – reflective of the applicant's completion of the BRS Opt-In Course on 1 October 2017

FACTS:

1. The applicant states in part that:

- His Date of Initial Entry into Military Service (DIEMS) is 17 July 2017
- He elected to opt-into the BRS on 1 October 2017 while attending the U.S. Military Academy Preparatory School
- His July 2023 LES reflects BRS, converted from the BRS to the Legacy/High-3 retirement plan in August 2023

2. A review of the applicant's available service records reflects the following:

- On or about 17 July 2017 – he enlisted in the U.S. Army Reserve and subsequently entered active duty
- On 1 July 2018 – he was released from active duty
- On 21 May 2022 – he was appointed a commission in the Regular Army

3. On 11 May 2025, the Office of the Deputy Chief of Staff, G-1, Program Analyst, Compensation and Entitlements Division provided an advisory opinion recommending the applicant be afforded the opportunity to opt-into the BRS, effective

1 June 2022. While attending the U.S. Military Academy Preparatory School, the applicant was incorrectly advised that he would be automatically enrolled in the BRS upon his accession onto active duty. Subsequently, he was not afforded adequate notification of eligibility and opportunity to enroll in the BRS.

4. On 12 May 2025, the applicant was provided with a copy of the advisory opinion and afforded 15 days to provide comments.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's petition, available military record and the Office of the Deputy Chief of Staff, G-1 – Program Analyst Compensation and Entitlements Division advisory opinion, the Board agreed the applicant was incorrectly advised that he would be automatically enrolled in the BRS. Based on this, the Board granted relief to allow him the opportunity to enroll.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:XXX	:XXX	:XXX	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined that the evidence presented was sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by showing the applicant notified of eligibility and given the opportunity to enroll in the BRS, effective 1 June 2022.

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. All Army Activity Message Number 050/2019 (Implementation Guidance for ETP to Retroactively Enroll Certain Eligible Soldiers in the Blended Retirement System and Hardship Extension of the Enrollment Period) provides that Soldiers who would like to request an ETP to the BRS Calendar Year (CY) 2018 Opt-In enrollment will acknowledge the irrevocability of the Opt-In decision. Soldiers who were notified of their eligibility for BRS and did not have access to the BRS link on MyPay, must notify the Deputy Chief of Staff G-1 of the discrepancy. These extensions do not create the authority to enroll a Soldier who had the opportunity to elect to enroll in the BRS during the CY2018 but who chose not to do so, nor does it allow for retroactive Thrift Savings Plan (TSP) contributions

2. Deputy Secretary of Defense Memorandum, Implementation of the Blended Retirement System dated 27 January 2017 states that the BRS goes into effect 1 January 2018. 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. Those currently serving members who are eligible to opt into BRS will have an entire year to make their opt-in decision. The opt-in or election period for BRS begins 1 January 2018 and concludes on 31 December 2018. The decision to opt-in is irrevocable.

//NOTHING FOLLOWS//