

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 June 2025

DOCKET NUMBER: AR20240010773

APPLICANT REQUESTS: Exception to policy (ETP) for 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)
- Joint Knowledge Online Training Certificate shows the applicant successfully completed the BRS Opt-in Course
- Integrated Personnel and Pay System – Army Personnel Action Request shows the applicant requested enrollment in the BRS on 21 March 2024 in order to receive continuation pay
- DA Form 4187 (Personnel Action) shows the applicant requested enrollment in the BRS on 9 April 2024, stating he believed he had been enrolled but found he was not

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.

2. The applicant states:

- He was to be enrolled in BRS since 2017
- However, he was never transition into BRS
- He was not aware of the error until he attempted to request continuation pay
- Though he opted in and submitted all the required paperwork, he recently found he was kicked out due to an error at U. S. Army Human Resources Command

3. A review of the applicant's service record shows:

- On 7 January 2013, he enlisted in the Regular Army (RA)

- He has continuous service through extensions and reenlistments and he continues to serve in the RA
- Enlisted Record Brief shows his Pay Entry Base Date (PEBD) is 7 January 2013
- Soldier Management Services – WEB Portal (SMS WEB) shows his PEBD is 7 January 2013

4. On 24 April 2025, the Army Review Boards Agency Case Management Division requested the applicant provide documents for his BRS to include a Leave and Earnings Statement. He did not provide the requested documents

5. On 19 May 2025, in the processing of this case, the Office of the Deputy Chief of Staff G1 provided an advisory opinion regarding the applicant's request to be retroactively enrolled in the BRS. The advisory official stated in the interest of fairness and equity, he should be provided the opportunity to enroll in BRS effective 1 January 2018, the BRS implementation effective date. He completed the BRS Opt-on training on 19 July 2017. The applicant previously received an approved ETP for BRS enrollment from Headquarters Department of the Army Office of the Deputy Chief of Staff G1 dated 12 April 2024; however, due to a legal review ruling from the Defense Finance and Accounting Service, it was not processed. He was never adequately notified of eligibility and opportunity to enroll in the BRS since the implantation of BRS.

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 review based on law, policy, and regulation. Upon review of the applicant's petition, available military records, and the Office of the Deputy Chief of Staff G1 advisory opinion, the Board concurred with the advisory official in the interest of fairness and equity, that the applicant should be provided the opportunity to enroll in BRS effective 1 January 2018, the BRS implementation effective date. The Board determined that the applicant completed the BRS Opt-on training and had previously received an approved ETP for BRS enrollment. However, through no fault of his own, he was never adequately notified of eligibility and opportunity to enroll in the BRS. Therefore, the Board concluded that the applicant's request warranted relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

█	█	█	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 enrolled in BRS effective 1 January 2018, the BRS implementation effective date.

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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 dated 27 January 2017, implements guidance for the BRS for Uniformed Services, which was authorized in sections 631 through 635 of Public Law 114-92 of the National Defense Authorization Act (NDAA) of Fiscal Year (FY) 2016 as modified by sections 631 through 633 of Public Law 111-328, of the NDAA FY 2017. This policy supplements existing issuances and regulations pertaining to military retirement and annuity programs to provide guidance specifically for the BRS. The policy will be incorporated into all applicable issuance and regulations to ensure an effective and efficient transition to this new retirement system when the BRS becomes effective 1 January 2018.

3. All Army Activities Message Number 050/2019 (Implementation Guidance for Exception to Policy to Retroactively Enroll Certain Eligible Soldiers in the Blended Retirement System and Hardship Extension of the Enrollment Period) provides additional administrative procedures necessary for certain Soldiers to request an exception to policy to allow for retroactive enrollment in the BRS for specific reasons. It also provides procedural guidance for automatic and hardship extensions of the enrollment period. Coordinate with DFAS to ensure the proper retroactive government automatic and matching Thrift Savings plan (TSP) contributions are credited to the member's TSP Account. Coordinate retroactive matching tsp with DFAS ensuring contributions will only be made in accordance with the individual contribution previously made that should otherwise have been matched had the member been correctly enrolled in the BRS. These extensions do not create the authority to enroll a Soldier who had the opportunity to elect to enroll in the BRS during Calendar Year 2018 but who chose not to do so, nor does it allow for retroactive TSP contributions. Soldier LES will reflect "blended". Reasons for submission of ETP where the DCS, G1 or Deputy DCS, G1 of a general officer level headquarters within a Soldier's chain of command has the approval authority.

- Deployment for 30-days or more that is inclusive of 31 December 2018, which prevented the Soldier from having access to all resources available to make financial or retirement decisions
- Court proceedings or court orders that prevented a Soldier from making financial or retirement decisions during the enrollment period
- Illness or injury that substantially impacted a Soldier's ability to make financial or

- retirement decisions during the enrollment period
- Inability to complete the mandatory "opt-in" training due to circumstances beyond the control of the Soldier
- Inability to access the MyPay website or follow the designated procedures for making the election during the enrollment period due to circumstances beyond the reasonable control of the Soldier

Reasons for submission of ETP where director, plans and resources, DCS, G1 has the approval authority.

- Failure to notify a Soldier of their eligibility to elect to opt into the BRS at least 60-days prior to the conclusion of the enrollment period
- Other extraordinary or exceptional circumstances
- Missing or inaccurate date of initial entry into military service (diems) information that was incorrectly applied upon entry to active duty or into an active status, and it resulted in a Soldier being automatically enrolled in BRS under the policies governing enrollment for new accessions
- Failure of the Army to correctly identify a BRS eligible Soldier to the Defense Finance and Accounting Services
- Failure of the Army to adequately notify a Soldier of their eligibility and opportunity to enroll in BRS

//NOTHING FOLLOWS//