

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 June 2025

DOCKET NUMBER: AR20240010782

APPLICANT REQUESTS:

- Exception to policy (ETP) for retroactive enrollment in the Blended Retirement System (BRS)
- If approve, back compensation for the agency matching Thrift Savings Plan (TSP) contributions

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 on 4 January 2024
- DA Form 4187 (Personnel Action) shows on 9 January 2024, the applicant requested ETP for retroactive BRS enrollment and TSP contribution
- Leave and Earnings Statement for the period of 1 through 31 March 2025 shows the applicant was enrolled in BRS
- Soldier Talent Profile

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:

- Correction of her service record to reflect she is enrolled in the BRS in order to:
  - Continue to receive agency matching TSP
  - Receive retroactive TSP to the date she was ordered to active duty
- In 2015, she enlisted as a cadet into the U. S. Army Reserve (USAR) Control Group (Reserve Officer's Training Corps (ROTC)), before the implementation of BRS

- After she completed the ROTC program, she was assigned to the USAR Control Group (Individual Ready Reserve (IRR)) to attend graduate school
- She was ordered onto active duty in January 2023
- She was never provided the opportunity to change her retirement system since she was in the ROTC at the time of implementation and assigned in the IRR at the end of the opt-in period
- Once she was on active duty, she was not given the opportunity to opt into the BRS
- She submitted a DA Form 4187 requesting an ETP to retroactive enrollment in the BRS which was approved and she began to receive agency matching TSP
- On 16 August 2024, she was notified the ETP for retroactive enrollment was deemed invalid
- To appeal, she must apply to the Army Board for Correction of Military Records
- If approved, retroactive approvals will not be considered prior to the date of completion of the mandatory BRS Opt-in course

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

- On 26 August 2015, she enlisted in the USAR Control Group (ROTC) as a cadet
- On 11 May 2019, she was discharged from the USAR ROTC due to selection for educational delay by Orders Number 113-1, 23 April 2019
- On 12 May 2019, she executed her oath of office and was appointed a Reserve commissioned officer
- On 12 May 2019, she was assigned to the USAR Control Group (W6ED02) by Orders Number 134-009, 14 May 2019
- On 8 January 2023, she ordered to active duty to fulfill an active duty requirement in a voluntary indefinite status by Orders Number A-12-201187, 5 December 2022
- On 8 January 2023, she executed her oath of office and appointed a Regular Army Medical Specialty Corps officer
- Soldier Management Services – WEB Portal (SMS WEB) shows her Pay Entry Base Date as 26 August 2015 and her date of commissioning/initial appointment as 8 January 2023

4. On 22 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 for retroactive BRS enrollment and TSP contributions. The advisory official stated in the interest of fairness and equity, the applicant should be provided the opportunity to enroll in the BRS effective 8 January 2023, based on her active-duty date. She was not adequately notified of her eligibility and opportunity to enroll in the BRS while enrolled as a Ready Reserve Soldier. She previously applied for an ETP for BRS enrollment; however, the Defense Finance and Accounting Service legal office ruled the prior approval dated

29 March 2024 from Headquarters Department of the Army Deputy Chief of Staff G1 was invalid and the G1 did not have the authority to issue ETPs.

5. On 31 May 2025, the Army Review Board Agency Case Management Division provided the applicant the advisory opinion for review and comment. 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 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, 8 January 2023, based on her active-duty date. The Board determined that the applicant was not adequately notified of her eligibility and opportunity to enroll in the BRS while enrolled as a Ready Reserve Soldier. 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 8 January 2023, based on her active-duty date.



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//