

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 6 June 2025

DOCKET NUMBER: AR20240010798

APPLICANT REQUESTS:

- Retroactive enrollment into the Blended Retirement System (BRS) with payment of associated Thrift Savings Plan (TSP) matching contributions
- A personal appearance before the Board

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

- DD Form 149 (Application for Correction of Military Record)
- AMPO Local Form 18-R (Unit Transmittal Letter) Number 08-010 coversheet provided for his BRS enrollment packet
- DA Form 4187 (Personnel Action) showing his approved request for exception to policy for enrollment into BRS
- BRS Certification showing he completed the Joint Knowledge Online Training for BRS Opt-In
- Leave and Earning Statement covering 1-31 March 2025 showing his Thrift Savings Plan (TSP) enrollment

FACTS:

1. The applicant states, in pertinent part, he was sworn in on 8 May 2020 and has been contributing to the TSP benefit without receiving matching contributions from the government of 5 percent.

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

- On 17 August 2017, he enlisted as a Cadet in the Reserve Officers' Training Corps (ROTC) program with the University of Central Missouri
- Orders Number 71-057, dated 11 March 2020 was issued ordering him to attend the Basic Officer's Leader Course and 4 years active duty upon completion
- A Memorandum for Appointment as Reserve Commissioned Officer in the Army, dated 8 May 2020 was issued appointing him as a Reserve officer
- On 13 June 2020, he was appointed as a Regular Army commissioned officer and executed an oath of office

- He continues service with the Regular Army

3. On 20 May 2025, in the processing of this case, the Office of the Deputy Chief of Staff, G-1, Program Analyst, Compensation and Entitlements Division, provided an advisory opinion recommending approval of the applicant's request stating, in pertinent part:

a. After careful review of the information provided, in the interest of fairness and equity, the applicant should be provided an opportunity to enroll in the BRS effective 14 August 2024, the date of completion of the BRS opt-in training.

b. A review of his personnel records maintained by the Human Resource Command indicates he had the opportunity to opt into BRS during the open enrollment period of 22 September 2020, through 19 January 2021; however, there is no documentation or evidence presented that reflects he made this election.

c. The applicant should remain in the High 3 retirement system if the option to opt into BRS is not made.

4. On 31 May 2025, the applicant was provided a copy of the advisory opinion and afforded an opportunity to respond.

BOARD DISCUSSION:

1. 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 Office of the Deputy Chief of Staff advising opinion, the Board concurred with the advising official memorandum noting in the interest of fairness and equity, the applicant should be provided an opportunity to enroll in the BRS effective 14 August 2024, the date of completion of the BRS opt-in training. The Board granted relief to allow the applicant to opt-in to BRS.

2. The applicant's request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is 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 he elected into the blended retirement system, effective 14 August 2024
- his election was received and processed by the appropriate office in a timely manner

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. Public Law 114-92 dated 25 November 2015, section 631 (Modernized Retirement System for Members of The Uniformed Services) (a) Regular Service, in the case of a member who first becomes a member of the uniformed services on or after 1 January 2018, or a member who makes the election. (B) Election to Participate in Modernized Retirement System, a member of a uniformed service serving on 31 December 2017, who has served in the uniformed services for fewer than 12-years as of 31 December 2017, may elect, in exchange for the reduced multipliers for purposes of calculating the retired pay of the member, to receive Thrift Savings Plan contributions. (C) Election Period, (i) a member of a uniformed service may make the election authorized only during the period that begins on 1 January 2018 and ends on 31 December 2018. (ii) Hardship Extension, the Secretary concerned may extend the election period for a member who experiences a hardship as determined by the Secretary concerned.
2. Title 10 USC, section 1409 (Retired pay multiplier), b (4) (Modernized retirement system), (A) Reduced multiplier for full tsp members, in the case of a member who first becomes a member of the uniformed services on or after 1 January 2018, or a member who makes the election. (B) (Election to participate in modernized retirement system), a member of a uniformed service serving on 31 December 2017, who has served in the uniformed services for fewer than 12-years for purposes of calculating the retired pay of the member, to receive Thrift Savings Plan contributions. (C) (Election period), a member of a uniformed service may make the election authorized only during the period that begins on 1 January and ends on 31 December 2018. (ii) (Hardship extension), the Secretary concerned may extend the election period for a member who experiences a hardship as determined by the Secretary concerned.
3. Deputy Secretary of Defense memorandum dated 27 January 2017, Subject Implementation of the Blended Retirement System, implements guidance for the Blended Retirement System for the Uniformed Services. Attachment 1 (Guidance for Implementation of the Blended Retirement System for the Uniformed Services), Paragraph 9 (Enrollment), a. Enrollment Period, (1) A member of a Uniformed Service who qualifies to enroll in the BRS under any of the provisions outlined in paragraphs 6.b.(2) through 6.b.(6) may make the election to enroll on or after 1 January 2018 through 31 December 2018. b. (Procedures for Enrollment), (1) A member of a Uniformed Service who is eligible to enroll in the BRS must complete the mandatory training on opting into the BRS provided by the ASD(R), in accordance with procedures prescribed by the Secretary concerned, prior to making an election to enroll. (2) For members of the Army, Navy, and Air Force, enrollment in the BRS shall be completed on the "MyPay" website (<https://mypay.dfas.mil/>) in accordance with procedures separately promulgated by DFAS. (3) The decision to elect to enroll in the BRS is irrevocable. (4) Prior to making the election to enroll in the BRS, members of the Uniformed Services who are eligible and who choose to enroll in the BRS, must affirm on the MyPay website, or through procedures specified by the Secretary concerned that they have completed the mandatory training and that they acknowledge the decision to enroll in the BRS is irrevocable.
4. All Army Activity Message Number 028/2018 states, effective 1 January 2018, eligible Soldiers who completed the mandatory training were eligible to enroll in the BRS. The Department of Defense policy is that this informed decision by a Soldier eligible to enroll in the BRS is irrevocable.

5. The TSP website states service automatic contributions are equal to 1 percent of basic pay each pay period, contributed to a BRS member's TSP account by his or her service, not from the member's pay. Upon separation from service, members must meet the TSP two-year vesting requirement in order to keep these contributions and their associated earnings. Service Matching Contributions. Contributions a service must make each pay period when BRS members contribute to the TSP. The member is entitled to receive a matching contribution on the first 5 percent of basic pay he or she contributes to the TSP each pay period.

6. AR 15-185 (Army Board for Correction of Military Records (ABCMR)) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR may, in its discretion, hold a hearing or request additional evidence or opinions. Additionally, it states in paragraph 2-11 that applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

//NOTHING FOLLOWS//