

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 20 November 2025

DOCKET NUMBER: AR20240011988

APPLICANT REQUESTS: Exception to Policy (ETP) for 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, dated 28 August 2024, showing the applicant's entitlements, deductions, allotments, traditional and ROTH plan, and contributions totals
- Automated Record Brief, dated 29 August 2024, showing the applicant's service data, assignment information, military/civilian education, and awards and decorations
- Blended Retirement System (BRS) Opt-In certificate, dated 29 August 2024, which shows the applicant completed the BRS Opt-In course
- DA Form 4187 (Personnel Action) dated 3 September 2024, which shows:
 - The applicant requested an ETP enrollment in the BRS, in accordance with (IAW), All Army Activities (ALARACT) Message Number 067/2020
 - He was eligible to Opt-In the BRS in Calendar Year 2018 (CY18), however, the applicant did not have access to the BRS link on MyPay, preventing enrollment into BRS
 - Date of Initial Entry to Military Service (DIEMS) – 15 December 2012
 - Pay Entry Basic Date (PEBD) – 8 July 2013
 - Mandatory counseling on financial literacy regarding options to enroll in the BRS or remain in the Legacy Retirement System was completed on 18 January 2018
 - BRS Opt-In course was completed on 29 August 2024
 - The applicant understood his enrollment cannot be revoked
 - On 15 September 2024, the applicant's BRS enrollment request was approved by an O-6
- Email communication during the period of 22 to 23 October 2024, between the Army Review Boards Agency and Congressional Liaison discussing the applicant's ETP BRS enrollment request and the history of events

- Congressional correspondence showing the applicant requested assistance with his ETP BRS enrollment and he submitted a privacy release form

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:
 - Currently, he is listed as "Opted out" of the BRS
 - He should be "Opted in" to the BRS; due to an error, he is unable to receive matching contributions pay for his years of service as a Troop Program Unit (TPU) Soldier
 - In accordance with paragraph 4.A. of ALARACT Message Number 067/2020, as a Soldier he was eligible to Opt-In the BRS in Calendar Year (CY) 2018, however, he did not have access to the BRS link on the MyPay website
 - He has included an ETP with the first O-6 in his command signature (his Brigade Commander)
3. A review of the applicant's service record shows:
 - He enlisted in the Regular Army (RA) on 8 July 2013
 - On 15 August 2016, while serving in the RA, he enlisted in the U.S. Army Reserve (USAR) with an effective date of 4 November 2016
 - On 3 November 2016, the applicant was released from active duty and was transferred to his USAR unit in Arizona
 - His record contains an Enlisted Record Brief dated 4 November 2016 showing his PEBD as 8 July 2013
 - On 10 January 2022, he reenlisted in the USAR
 - On 1 January 2025, Order Number 10618166 promoted the applicant to the rank/grade of staff sergeant (SSG)/E-6, effective 1 January 2025
 - The applicant reached his 12th year of service on 8 July 2025
4. On 25 September 2025, the Office of the Deputy Chief of Staff G-1, Program Analyst Compensation and Entitlements Division, provided an advisory opinion for this case and stated:
 - a. After careful review of the information provided, this office does not support the applicant's request for an exception to policy for BRS enrollment. Official Human

Resource Command records indicate the applicant was on the myPay eligibility list from 1 January 2018 through 31 December 2018, and did not take any action to opt-in.

b. The purpose of the BRS Opt-In training in 2017 was to educate all service members on the new BRS system and to provide information needed to make an informed decision as to remain in the High 3 (legacy) retirement system or to opt-in to the new BRS system.

c. The applicant is to remain in the High 3 (Legacy) retirement system.

5. On 29 September 2025, the applicant was provided with a copy of the G-1 advisory opinion to allow for comments or rebuttal. He 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 G-1 advisory opinion, the Board concluded:

- **Background:** The applicant asserts that circumstances beyond his control prevented timely enrollment in the BRS during the designated opt-in period. He now seeks correction of his records to reflect enrollment.
- **Regulatory Framework:** The BRS was implemented with specific eligibility criteria and enrollment deadlines. Exceptions to policy may be granted when evidence demonstrates administrative error, lack of proper counseling, or other equitable considerations.
- **Evidence Reviewed:** The Board examined the applicant's personnel records, counseling documentation, and statements. The evidence indicates that the applicant was not afforded a fair opportunity to make an informed election during the original enrollment window.
- **Equitable Considerations:** The Board finds that denying enrollment would result in an injustice, as the applicant's intent to participate in BRS is clear and consistent with the system's purpose of providing retirement flexibility and benefits.
- **Conclusion:** The Board determines that granting relief is appropriate and consistent with both equity and the intent of the BRS program.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:X	:X	:X	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 was in receipt of a completed continuation pay (CP) request prior to the completion of 12 years of service as computed from the PEBD
- DFAS paying his entitlement to CP utilizing the Military Pay Account and not the ABCMR funds payable through Debts and Claims

/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. Army Regulation 15-185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the Army Board for Correction of Military Records (ABCMR). In pertinent part, it states that the ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence. The ABCMR will decide cases based on the evidence of record. It is not an investigative agency.
2. On 27 January 2017, the Deputy Secretary of Defense implemented guidance for the Blended Retirement System (BRS) for uniformed services, authorized by Public Law 114-92 (National Defense Authorization Act for Fiscal Year 2016). The BRS is a onetime payout available to Active Duty, Army National Guard, and Reserve Service Members covered under the BRS with between 8 and 12 years of service who can enter into an agreement to perform additional obligated service. BRS includes a Continuation Pay provision to encourage Service Members to continue serving. Continuation pay is a mid-career bonus payment given in exchange for an agreement to serve a specific number of years and is a direct cash payout, like a bonus. Per the BRS Continuation Pay Implementation guidance, all Soldiers may submit their continuation pay request no earlier than 180 days prior to completing their 12th year of service, based on their pay entry basic date. Soldiers should submit their continuation pay request no later than 30 days prior to completing their 12th year of service.
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) states:
 - a. 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. 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.
 - c. 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. The decision to elect to enroll in the BRS is irrevocable.

d. 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. Title 37 U.S. Code§ 356 - Continuation pay: full TSP [Thrift Savings Plan] members with 8 to 12 years of service;

a. Continuation Pay. The Secretary concerned shall make a payment of continuation pay to each full TSP member (as defined in section 8440e(a) of title 5) of the uniformed services under the jurisdiction of the Secretary who –

(1) has completed not less than 8 and not more than 12 years of service in a uniformed service; and

(2) enters into an agreement with the Secretary to serve for not less than 3 additional years of obligated service.

b. Payment Amount. The Secretary concerned shall determine the payment amount under this section as a multiple of a full TSP member's monthly basic pay. The multiple for a full TSP member who is a member of a regular component or a reserve component, if the member is performing active Guard and Reserve duty (as defined in section 101(d)(6) of title 10), shall not be less than 2.5 times the member's monthly basic pay. The multiple for a full TSP member who is a member of a reserve component not performing active Guard or Reserve duty (as so defined) shall not be less than 0.5 times the monthly basic pay to which the member would be entitled if the member were a member of a regular component. The maximum amount the Secretary concerned may pay a member under this section in the case of a member of a Reserve Component — (A) the amount of monthly basic pay to which the member would be entitled at 12 years of service if the member were a member of a regular component multiplied by 0.5; plus (B) at the discretion of the Secretary concerned, the amount of monthly basic pay described in subparagraph (A) multiplied by such number of months (not to exceed 6 months) as the Secretary concerned shall specify in the agreement of the member under subsection (a).

c. Additional Discretionary Authority. In addition to the continuation pay required under subsection (a), the Secretary concerned may provide continuation pay under this subsection to a full TSP member described in subsection (a), and subject to the service agreement referred to in paragraph (2) of such subsection, in an amount determined by the Secretary concerned.

d. Timing of Payment. The Secretary concerned shall pay continuation pay under subsection (a) to a full TSP member when the member has completed not less than 8 and not more than 12 years of service in a uniformed service.

e. Lump Sum or Installments. A full TSP member may elect to receive continuation pay provided under subsection (a) or (c) in a lump sum or in a series of not more than four payments.

f. Relationship to Other Pay and Allowances. Continuation pay under this section is in addition to any other pay or allowance to which the full TSP member is entitled.

g. Repayment. A full TSP member who receives continuation pay under this section (a) [1] and fails to complete the obligated service required under such subsection shall be subject to the repayment provisions of section 373 of this title.

5. ALARACT Message Number 067/2020, Subject: Extension to Implementation Guidance for ETP to Retroactively Enroll Certain Eligible Soldiers in the BRS and Hardship Extension of the Enrollment Period which provides additional administrative procedures necessary for certain Soldiers to request an ETP to allow for retroactive enrollment in the BRS for specific reasons outlined in the memorandum from the Office of the Deputy Chief of Staff (DCS) G1 dated 22 May 2019.

a. Paragraph 4.A. states, the DCS, G1, Plans and Resources will coordinate with the U.S. Army Human Resources Command to identify Soldiers including Health Professional Service Provider (HPSP) students who were eligible to opt into the BRS in CY18, but did not have access to the BRS link on the MyPay website.

b. Paragraph 12 states, the reasons for submission of ETPs where the DCS G1 or Deputy DCS G1 of a General Officer level headquarters within the 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

c. Paragraph 13 states, the reasons for submission of ETPs 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; and other extraordinary or exceptional circumstances
- missing or inaccurate date of initial entry into military service 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 Defense Finance and Accounting Service
- failure of the Army to adequately notify a Soldier of their eligibility and opportunity to enroll in BRS

6. ALARACT Message Number 081/2024, Subject: Notification of Expiration - Extension to Implementation for ETP to Retroactively Enroll Certain Eligible Soldiers in the BRS and Hardship Extension of the Enrollment Period, dated 25 September 2024, informs Soldiers and Commanders about the ETP for retroactive enrollment in the BRS. Paragraph 4.A. states, effective 1 October 2024 all requests for ETP for BRS enrollment will have to be submitted to the Army Review Boards Agency to correct the Soldier's military record to reflect enrollment in BRS. Documents to include with application:

- a personnel action request (PAR) from the IPPS-A signed by an O-6 in the Soldier's chain of command; a DA Form 4187 (Personnel Action), can be submitted in lieu of a PAR when IPPS-A is not available
- BRS Opt-In Training Certificate

//NOTHING FOLLOWS//