

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 14 August 2025

DOCKET NUMBER: AR20240011663

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)
- Leave and Earnings Statement for the period of 1 through 31 July 2024 shows the applicant is enrolled in the Choice retirement plan
- Joint Knowledge Online training certificate shows the applicant successfully completed the BRS Opt-in Course on 2 August 2024

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 needs his retirement plan to be changed to BRS vice Choice "High 3"
- He should have been automatically opted into BRS since he began his enlistment in 2013
- His Basic Active Service Date (BASD) is September 2019

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

- On 13 June 2013, he enlisted in the Army National Guard of the United States (ARNGUS)
- On 13 March 2017, he was honorably discharged from ARNGUS for enlistment in another component
- On 14 March 2017, he enlisted in U.S. Army Reserve (USAR) as a cadet and was assigned to the USAR Control Group (Reserve Officers' Training Corps (ROTC))

- On 30 September 2019, he executed his oath of office and appointed as a Reserve commissioned officer
- Officer Record Brief shows:
 - Pay Entry Base Date (PEBD): 28 December 2015
 - Basic Active Service Date (BASD): 25 August 2019
- Soldier Management Services – WEB Portal shows:
 - PEBD: 28 December 2015
 - BASD: 25 Aug 2019

4. On 16 June 2025, in the process of this case, the Office of the Deputy Chief of Staff G1, provided an advisory opinion regarding the applicant's request for an ETP retroactive enrollment in BRS. The advisory official stated after a careful review, the applicant's request could not be supported. The U.S. Army Human Resources Command confirmed the applicant was on the MyPay eligibility list for all of 2018. The required DA Form 4187 (Personnel Action) or Personnel Action Request was not completed which must be approved by a Colonel or higher and include a statement that BRS enrollment was irrevocable. The applicant is to remain in the High 3 retirement system.

5. On 18 June 2025, the Army Review Boards Agency, Case Management Division, provided the applicant the advisory opinion for review and comment. He did not respond.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the majority of 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. One potential outcome discussed was to deny relief based upon the available documentation and the findings outlined in the G1 advisory opinion. However, upon review of the applicant's petition, available military records, and the Deputy Chief of Staff G1 advisory opinion, the majority of the Board did not concur with the advisory official which found insufficient evidence to warrant an Exception to Policy for retroactive enrollment in the Blended Retirement System (BRS). The majority opined that due to the program's complexity, difficulty in understanding the process, and to be consistent with other BRS cases, the majority determined there was an injustice and voted to grant full 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 granting the exception to policy to allow the applicant to retroactively enroll in the BRS to the date he was first eligible upon his enlistment in 2013.

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

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//