



specified all Marines who have a Date Entered Armed Forces (DEAF) on or before 31 December 2017, remain covered by the legacy retirement plan. However, active component members with less than 12 years of service as of 31 December 2017 had the choice to stay in the legacy retirement system or opt-into the BRS. The election window for opt-in eligible members was 1 January 2018 through 31 December 2018 and enrollment could only be accomplished via Marine Online after completing the BRS mandatory opt-in training. Additionally, MARADMIN 611/18 indicated that a 30 calendar day enrollment extension may have been granted to BRS eligible Marine officers commissioned through the Officer Candidate Course with a commissioning date on or after 1 December 2018. Marines were required to request enrollment extension by submitting an Administrative Action form to Manpower and Reserve Affairs (MPO) through their first general officer in the chain of command. This policy was also incorporated in the McBul 1800 dated 25 June 2019.

A review of your record reflects you enlisted in the Marine Corps Reserve on 13 October 2017 as an officer candidate, which established your DEAF, thereby grandfathering you in the legacy retirement plan unless you chose to make the irrevocable election to opt-into the BRS. You entered active duty on 5 January 2019, and the service opened your BRS election window from 10 January 2019 through 31 December 2021. On 15 March 2023, you were released from active duty and transferred to the Individual Ready Reserve.

The Board could not find, nor did you provide evidence of receiving improper counseling or system constraints that prevented you from completing the BRS mandatory opt-in training and/or enrolling in the BRS within your election window. Moreover, the Board found your request for corrective action untimely. Therefore, in this connection, the Board substantially concurred with the comments contained in the aforementioned advisory opinion and determined that a change to your record is not warranted.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

9/19/2024

