



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

██████████
Docket No. 1263-24
Ref: Signature Date

██████████
██████████
██████████

Dear ██████████,

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 25 September 2024. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies. In addition, the Board considered the advisory opinion contained in Office of the Chief of Naval Operations memorandum 7220 Ser N130/24U147 of 8 February 2024, which was previously provided to you for comment.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You requested to rescind your enrollment in the Blended Retirement System (BRS). The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that Navy Administrative (NAVADMIN) message 217/16 released on 27 September 2016 announced the BRS for the Uniformed Services. NAVADMIN 302/17 released on 20 December 2017 and Military Personnel Manual Article 1810-080 dated 20 December 2017 published Navy guidance implementing the enrollment of BRS. These policies outlined eligibility, processing, service obligation, and reference information germane to enrolling into BRS. Specifically, the policies indicate the decision to opt-in the BRS or remain in the legacy retirement system is irrevocable.

Additionally, enrollment in the BRS could only be completed by the member on the myPay website and was conducted in accordance with procedures promulgated by the Defense Finance and Accounting Service. These procedures included the member affirming four times of their desire to opt-into the BRS and acknowledge the decision to enroll in the BRS was irrevocable.

A review of your record reflects your Date Initially Entered Military Service is 5 March 2015 thereby rendering you eligible to opt-into the BRS. Your account indicates enrollment in the BRS on 22 October 2018. The Board could not find, nor did you provide evidence of erroneous enrollment in the BRS. Moreover, the Board found your request for correction over 5 years after enrollment in the BRS to be untimely. Therefore, in this connection, the Board substantially concurred with the comments contained in the aforementioned advisory opinion and determined 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,

10/10/2024

