



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

██████████
Docket No. 1625-24
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO ██████████
██████████

Ref: (a) Title 10 U.S.C. § 1552
(b) MILPERSMAN 1810-080

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion by OPNAV (N130), 28 Feb 24
(2) Subject's Naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to reflect a new Blended Retirement System (BRS) opt-in eligibility period.

2. The Board, consisting of ██████████ reviewed Petitioner's allegations of error and injustice on 14 August 2024 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, she exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 1 November 2011, Petitioner appointed as Unrestricted Line Officer, Designator 1975, in the Armed Forces Health Professions Scholarship Program and assigned to the Individual Ready Reserve, which established his date initially entered into military service.

b. On 5 June 2015, Petitioner accepted a regular commission and entered active duty.

c. On 21 June 2016, Petitioner accepted a Reserve commission and transferred to Individual Ready Reserve to complete residency training.

d. On 24 July 2023, Petitioner reported to Fleet Surgical Team Four for duty and accepted a regular commission on 30 June 2023.

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[REDACTED]

e. Petitioner's BRS election window was open from 5 September 2023 to 26 September 2023.

f. On 13 August 2024, Petitioner completed BRS Opt-In course.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an error warranting the following corrective action. In accordance with reference (b), Petitioner met the eligibility criteria for BRS, however failed to complete the election process during the BRS election window from 5 September 2023 to 26 September 2023. The Board determined Petitioner's election window was less than the 30 days authorized by reference (b) and surmised that he did not receive adequate counseling to make a timely election. Therefore, the Board determined that under these circumstances, relief is warranted.

RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner is authorized to irrevocably opt into BRS within 45 days of receiving this decision document. Note: Petitioner is directed to contact MyNavy Career Center for assistance with opting into BRS within 45 days of receiving this decision document.

A copy of this Report of Proceedings will be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of the reference, has been approved by the Board on behalf of the Secretary of the Navy.

8/21/2024

