



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

■
Docket No. 1726-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN,
XXX-XX-[REDACTED]

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), 27 Feb 24
(3) 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 retroactive enrollment into the Blended Retirement System (BRS).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 24 April 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, he 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 August 2017, Petitioner accepted a Reserve commission for participation in the Armed Forces Health Professional Scholarship Program (AFHPSP).

b. On 18 May 2021, Petitioner completed the AFHPSP, accepted an active duty commission, and entered active duty on 12 June 2021.

c. Petitioner was eligible to opt-into the BRS from 20 July 2021 to 24 August 2021.

d. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request does not have merit.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN,
XXX-XX [REDACTED]

CONCLUSION

Upon review and consideration of all the evidence of record, and despite the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. In accordance with reference (b),¹ Petitioner met the eligibility criteria for BRS, however failed to complete the election process during the BRS election window from 20 July 2021 to 24 August 2021. The Board concluded, had Petitioner received adequate counseling to make the election during the aforementioned period and directed to complete the BRS opt-in training, he would have been better informed and completed the enrollment process. Although Petitioner did not complete the proper administrative requirements, the Board determined that under these circumstances, partial relief is warranted.

RECOMMENDATION

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

Petitioner is authorized to opt into BRS within 45 days of receiving this decision document. Note: Petitioner must complete the BRS mandatory opt-in training prior to opting into the BRS. Furthermore, Petitioner is directed to contact MyNavy Career Center for assistance with opting into BRS within 45 days of receiving this decision document.

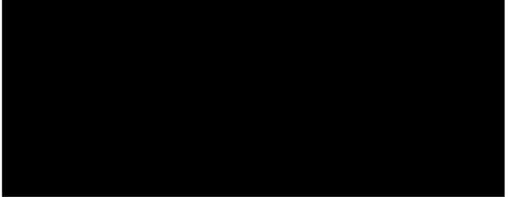
The part of Petitioner's request for corrective action that exceeds the foregoing is denied.

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.

5/16/2024



¹ Reference (b), all Navy members who initially entered military or uniformed service on or before 31 December 2017 are grandfathered under their legacy retirement plan and will not be enrolled in the BRS without making the election to opt-in. The decision by an opt-in eligible member to enroll in the BRS is irrevocable. Additionally, Navy members who are eligible to enroll in the BRS must complete mandatory opt-in training available on Navy e-Learning and Joint Knowledge Online prior to opting into the BRS.