



On 30 December 2016, you completed the BRS Notification Training and elected to opt-into the BRS on 8 January 2018. On 9 May 2019, you submitted DD Form 149, Application for Correction of Military Record under the Provisions of Title 10, U.S. Code, Section 1552, requesting to change your naval record to reflect you never elected to opt-in to the BRS. However, on 13 November 2019, you emailed the Board stating, “[a]fter some thought about career choices that I need to soon make, it would be best for me to not pursue with the application. Would you be able to remove it from queuing to the board?” Accordingly, your application was administratively closed on 15 November 2019.

On 6 January 2020, you completed BRS Training (Lecture Method), and on 18 June 2021, you signed NAVMC 11905, Active Duty BRS CP Statement of Understanding, acknowledging the 4-year obligated service and requesting to receive CP in four installments; the form was witnessed on 22 June 2021. Both your and the witness’ signature occurred after your last day to elect CP on 27 May 2021, thereby rendering you ineligible for CP in accordance with MARADMIN 683/20. Thereafter you were appointed to your current rank of Major/O-4 effective 1 September 2021.

Subsequently, you submitted another application to the Board requesting to establish entitlement to CP. The Board denied this request under Docket Number 2421-22 on 13 July 2022, indicating it was their belief that you were properly notified of your election deadline and were provided appropriate resources to ensure you had accurate information to base your decision concerning whether or not to elect CP before reaching 12 YOS.

Lastly, BRS notification was first released via MARADMIN 644/16 on 9 December 2016, followed by several updated messages and the Marine Corps Bulletin 1800 promulgated on 26 June 2018 and 25 June 2019. These policies outlined eligibility, processing, service obligation, and reference information germane to enrolling in the BRS and electing CP. Specifically, these policies indicated the election to decline or enroll in the BRS is irrevocable. Moreover, MARADMIN 683/20 specified CP for active component Marines was calculated at 2.5 times the monthly basic pay with over 12 YOS monthly basic pay rate. The effective date of payment will be at 12 YOS. On 28 May 2021, you still held the rank of Captain/O-3, therefore would have been ineligible to receive CP at the rank of Major/O-4. 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.

In the absence of sufficient new evidence for reconsideration, the decision of the Board is final, and your only recourse would be to seek relief, at no cost to the Board, from a court of appropriate jurisdiction.

Sincerely,

9/26/2024

