

Docket No. 4052-24 Ref: Signature Date

- From: Chairman, Board for Correction of Naval Records To: Secretary of the Navy
- Subj: REVIEW OF NAVAL RECORD ICO XXX XX USMCR
- Ref: (a) Title 10 U.S.C. § 1552 (b) MARADMIN 644/16 (c) MARADMIN 085/17 (d) MCBul 1800
- Encl: (1) DD Form 149 w/attachments
  (2) Advisory Opinion by HQMC (MPO), 15 May 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 her naval record be corrected to establish eligibility to enroll into the Blended Retirement System (BRS).

2. The Board, consisting of **Construction**, **Construction**, and **Construction**, reviewed Petitioner's allegations of error and injustice on 7 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. Petitioner served on active duty from 12 February 2013 to 11 January 2017 and thereafter assigned to the Individual Ready Reserve (IRR) from 12 January 2017 to 14 July 2017.

b. On 15 July 2017, Petitioner joined **Sector** for duty in an Active Reserve (AR) status.

c. On 1 August 2017, Petitioner completed BRS Notification Training and BRS Training (Lecture Method).

d. BRS election expiration date was 31 December 2018; Petitioner enrolled into the BRS on 1 January 2019.

e. On 14 March 2024, Petitioner completed Financial Education required when Marine becomes entitled to Continuation Pay (CP) training.

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f. On 15 March 2024, Petitioner signed NAVMC 11905, Active Duty BRS CP Statement of Understanding and elected lump sum payment.

g. On 10 April 2024, Petitioner completed BRS Opt-in Course, BRS Financial Counselor-Educator Course, and Leader Training to Introduce the BRS for the Uniformed Services training. On 11 April 2024, Petitioner completed BRS Lump Sum training.

h. In the advisory opinion, 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 has merit and warrants favorable action.

## 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. The Board concluded Petitioner's transition from active duty to the IRR, followed by assignment to duty in an AR status and lack of adequate counseling most likely contributed to Petitioner's untimely BRS enrollment. Although Petitioner did not complete the proper administrative requirements, the Board determined that under these circumstances, relief is warranted. However, the Board noted Petitioner will be required to complete the procedures in reference (d) prior to 11 February 2025 to receive CP.

## 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 Headquarters, U.S. Marine Corps (MPO) 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.

