



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

[REDACTED]
Docket No. 4879-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD [REDACTED] USN,
[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, 7 Aug 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 a new Blended Retirement System (BRS) opt-in eligibility period.

2. The Board, consisting of [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 25 September 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 29 June 2017, Petitioner appointed as [REDACTED], in the [REDACTED] and assigned to the Individual Ready Reserve, which established his date initially entered into military service.

b. On 5 May 2021, Petitioner accepted a regular commission and entered active duty on 21 May 2021.

c. On 24 May 2021, Petitioner reported to [REDACTED] for duty

d. Petitioner's BRS election window was open from 27 July 2021 to 31 August 2021.

e. On 24 April 2024, Petitioner completed BRS Opt-In course.

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[REDACTED]

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 27 July 2021 to 31 August 2021. The Board surmised that Petitioner did not receive adequate counseling to make a timely BRS 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 titled 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.

10/10/2024

