



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

██████████
Docket No. 8540-24
Ref: Signature Date

██████████
██████████
██████████

Dear ██████████

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 26 March 2025. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies. In addition, the Board considered the advisory opinion contained in the Office of the Chief of Naval Operations memorandum 7220 Ser/N130/24U0800 of 9 September 2024, which was previously provided to you for comment.

You requested to establish eligibility to elect Blended Retirement System (BRS). The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that the announcement of the BRS for the uniformed services initially promulgated via Navy Administration (NAVADMIN) message 217/16. Thereafter, several NAVADMIN messages, training courses, and Military Personnel Manual Article (MILPERSMAN) 1810-080 were released outlining eligibility, processing, and reference information germane to enrolling in the BRS. These policies specified all Navy members who initially entered into military or uniformed services on or before 31 December 2017 were grandfathered under their legacy retirement plan and would not be enrolled in the BRS without making an election to opt-in. The election window for opt-in eligible members was 1 January 2018 through 31 December 2018 and enrollment could only be accomplished on the myPay website after completing the BRS mandatory opt-in training. However, MILPERSMAN 1810-080, provides a 30-day extension period to enroll for those eligible to opt-in to the BRS but unable to enroll during the aforementioned election period. The election to remain in the legacy retirement system or enroll in BRS is irrevocable.

A review of your record reflects your date initially entered military service was 1 July 1986 upon attending U.S. Military Academy. You served in the U.S. Army Reserve from on or about 18 May 1987 to 13 May 1995 and thereafter had a break-in-service until accepting a Navy commission on 23 April 2020. On 9 May 2020, you entered active duty, and the Service opened your BRS election window on 9 June 2020. You completed The Uniformed Services Blended Retirement System: Your Retirement System training on 11 June 2020 prior to your last day eligible to elect BRS on 14 July 2020. Because you failed to make an election to enroll in the BRS during the aforementioned period, you remained grandfathered under the legacy retirement system.

The Board could not find, nor did you provide evidence of receiving improper counseling or system constraints that prevented you from enrolling in the BRS within your election window. The Board found your request for correction to enroll in BRS untimely. Moreover, the Board agreed that you received adequate training and references available to you to make an informed decision to enroll in the BRS during your election window of 9 June 2020 to 14 July 2020. Therefore, in this connection, the Board substantially concurred with the comments contained in the advisory opinion and determined a change to your record is not warranted.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

4/10/2025

