



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

██████████
Docket No. 393-25
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO ██████████, USN, XXX-XX-██████████

Ref: (a) Title 10 U.S.C. § 1552
(b) MILPERSMAN 1810-080, 15 Nov 18
(c) Public Law 114-92 § 631(a), 25 Nov 15

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion by ██████████
(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 show Petitioner enrolled in the Blended Retirement System (BRS) and received retroactive Thrift Saving Plan (TSP) matching contributions.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 31 July 2025 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. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. In accordance with reference (b), Modernized Retirement System for Members of the Uniformed Services. (a) Regular Service-Section 1409(b) of title 10, United States Code, is amended by adding at the end the following new paragraph: (4) Modernized Retirement System....(D) No Retroactive Contributions Pursuant to Election.—Thrift Savings Plan contributions may not be made for a member making an election pursuant to subparagraph (B) for any period beginning before the date of the member's election under that subparagraph by reason of the member's election.

b. In accordance with reference (c), BRS went into effect on 1 January 2018. All Navy Service members who have a date initially entered into military service (DIEMS) on or after 1 January 2018 will be automatically enrolled in the BRS. b. All Navy members who initially entered into 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. c. Any Navy member determined to be eligible for enrollment in the BRS by virtue of eligibility criteria, per paragraph 4 below, must complete mandatory training. d. The decision by an opt-in eligible member to enroll in the BRS is irrevocable.

Training on BRS. a. 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. b. Navy members who are enrolled in the BRS automatically by virtue of their DIEMS date must complete mandatory new accessions training during their respective accession pipeline training via classroom delivery by a facilitator who is familiar with the course content.

Procedures for Enrollment a. The enrollment period will be open from 1 January 2018 thru 31 December 2018. b. The decision to elect to enroll in the BRS is irrevocable. c. Enrollment in the BRS must be completed on the "myPay" Web site at: <https://mypay.dfas.mil/> according to procedures separately promulgated by the DFAS. d. Prior to making the election to enroll in the BRS, members of the Navy who are eligible to opt-in and choose to enroll in the BRS must affirm on the myPay Web site that they have completed the mandatory opt-in training and that they acknowledge and understand that the decision to enroll in the BRS is irrevocable.

c. On 7 October 2015, Petitioner was issued a United States of America Permanent Resident card.

d. Petitioner's Enlistment Guarantees (NAVCRUIT 1133/52) signed on 21 April 2017 listed the following: "ACKNOWLEDGEMENT: In connection with my enlistment into the United States Navy (Active) Component I hereby acknowledge that I am enlisting for a total Military Service Obligation (MSO) of 8 years. I fully understand *and* acknowledge that my MSO consists *of an* active duty obligation of 5 years as indicated in the options listed below with the remaining 36 months of my MSO served in the Individual Ready Reserve (IRR). I understand my contract has the following guaranteed options which require the indicated active duty service obligation(s): Option (1) Electricians Mate (EM/5Y0) Class "A" School Guarantee (T+X) requires 4 years active duty obligation and a voluntary extension of 12 months to meet the rating, school, and program guarantee active duty obligation requirement and a voluntary extension of N/A months to meet the enlistment bonus requirement." Annex A to DD Form 4 dated 21 April 2017.

e. Petitioner's Professional Apprenticeship Career Track (PACT) Program, Enlistment Guarantees (NAVCRUIT 1133/53) signed on 3 October 2017 listed the following: "ACKNOWLEDGEMENT: In connection with my enlistment into the United States Navy, I hereby acknowledge that: a. I am enlisting into the U.S. Navy for an active duty period of four (4) years. I am enlisting with the following guarantees and understanding: Option (1) Aviation/Airman Professional Apprenticeship Career Track (PACT) Program Guarantee." Annex B to DD Form 4 dated 21 April 2017.

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f. Petitioner's Professional Apprenticeship Career Track (PACT) Program, Enlistment Guarantees (NAVCRUIT 1133/53) signed on 4 January 2019 listed the following: "ACKNOWLEDGEMENT: In connection with my enlistment into the United States Navy, I hereby acknowledge that: a. I am enlisting into the U.S. Navy for an active duty period of 3 years. I am enlisting with the following guarantees and understanding Option (1) Surface/Seaman Professional Apprenticeship Career Track (PACT) Program Guarantee - Option (2) Enlistment Bonus for RTC Baseline PFA (EBPFA) \$2,000 Bonus." Annex C to DD Form 4 dated 19 October 2017.

g. Petitioner's Enlistment/Reenlistment – Document Armed Forces of the United States (DD Form 4) listed the following: block 5 (Date of Enlistment) 16 January 2019, block B (8) (Agreements) "I am enlisting/reenlisting in the United States Navy this date for 8 years and 0 weeks beginning In pay grade EM of which 4 years and 0 weeks is considered an Active Duty Obligation, and 4 years and 0 weeks will be served in the Reserve Component of the Service In which I have enlisted. If this is an initial enlistment, I must serve a total of eight (8) years, unless I am sooner discharged or otherwise extended by the appropriate authority. This eight year service requirement Is called the Military Service Obligation. The additional details of my enlistment/ reenlistment are in Section C and Annex(es) B."

h. On 7 February 2019, Petitioner signed a Thrift Savings Plan Election Form (TSP-U-1) and chose 3% Roth (After-Tax) Contributions.

i. On 4 February 2019, Petitioner was eligible to enroll into the BRS.

On 15 March 2019, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 15 March 2019 for duty.

j. On 16 March 2019, Petitioner completed The Uniformed Services Blended Retirement System: Your Retirement System course.

k. On 12 April 2019, Petitioner transferred from [REDACTED] and arrived at [REDACTED] on 18 April 2019 for duty.

l. Petitioner's last day eligible to enroll into the BRS was on 23 April 2019.

m. On 13 April 2022, Petitioner reenlisted for 4 years with an EAOS of 12 April 2026.

n. On 17 December 2024, Petitioner completed the BRS Opt-In course.

o. Petitioner's Navy Standard Integrated Personnel System (NSIPS)/Electronic Service Record (ESR), Member Data Summary/Contract Information listed a Pay Entry Base Date (PEBD) of 16 January 2019 and Active Duty Service Date (ADSD) of 16 January 2019.

p. 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 partial favorable action. Petitioner was provided with the advisory

opinion on 22 July 2025, and on 23 July 2025 she responded indicating she would like to proceed with no additional input.

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 injustice warranting the following corrective action. In accordance with reference (b), Petitioner met the eligibility criteria to enroll in the BRS but failed to complete the election process during the BRS election window from 4 February 2019 to 23 April 2019. Petitioner entered active duty after the beginning of BRS implementation, and an election window was opened approximately 1 month after she entered active duty; consequently, the Board determined it is reasonable that an individual new to the Service would not have a clear understanding of their DIEMS. Although proper administrative requirements were not completed, the Board determined that under these circumstances, partial relief is warranted. However, backdating her election to retroactive TSP contributions prior to a voluntary election to opt-in to the BRS is not authorized in accordance with reference (b).

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.

That no further changes be made to Petitioner's naval record in accordance with reference (c).

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.

8/8/2025

