



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

[REDACTED]
Docket No. 5449-22
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN,
[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) OPNAVINST 7220.14, 24 Dec 05

Encl: (1) DD Form 149 w/attachments
(2) OCNO memo 7220 Ser N130C3/22U1275, 17 Aug 22
(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 show Petitioner's sea duty time is increased by 1-year, 11 months, and 3 days and retroactive Career Sea Pay (CSP).

2. The Board, consisting of [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 11 October 2022 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 finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. On 22 May 1999 Petitioner signed an Officer Appointment Acceptance and Oath of Office (NAVCRUIT 1000/20) in the active U.S. Naval Reserve as an Ensign with a day of rank 26 May 1999 with a designator code of 1175 (Unrestricted Line Officer who is in training for Submarine Warfare qualification).

c. On 27 June 2000 Petitioner was issued official modification to change duty orders (BUPERS order: 1750) while stationed in [REDACTED] with an effective date of departure of August 2020. Petitioner's intermediate (1) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 21 August 2000. Petitioner's intermediate (2) activity was [REDACTED] for temporary duty for further transfer with an effective date of [REDACTED]

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN,
[REDACTED]

arrival of 27 November 2000. Petitioner's ultimate activity was [REDACTED],
[REDACTED] for duty with an effective date of arrival of November 2000, with a PRD of
November 2003.

d. On 27 November 2000 Petitioner arrived to [REDACTED] for duty, and
transferred from [REDACTED] on 16 May 2003.

e. Petitioner was released from active duty and transferred to the Naval Reserve with an
honorable character of service and was issued a Certificate of Release or Discharge from Active
Duty (DD Form 214) for the period of 22 May 1999 to 30 June 2005 upon completion of
required active service. Furthermore, Petitioner completed 2 years, 5 months, and 20 days of sea
service.

f. Petitioner was released from active duty and transferred to the Naval Reserve with an
honorable character of service and was issued a DD Form 214 for the period of 5 January 2007
to 18 November 2007 upon completion of required active service. Furthermore, Petitioner
completed 0 years, 0 months, and 0 days of sea service.

g. On 16 February 2017, Petitioner signed an Officer Appointment Acceptance and Oath of
Office (NAVPERS 1000/4) in the active U.S. Navy as an Lieutenant with a permanent grade
date/present grade date of 13 February 2015 with a designator code of 4100 (A Chaplain Corps
Officer).

h. On 23 July 2020 Petitioner arrived to [REDACTED] for duty, and CSP started.

i. On 5 August 2020 Petitioner's sea duty counter listed a total of 158 days.

j. On 26 July 2021 Petitioner's sea duty counter listed a total of 518 days.

k. Petitioner was issued a Defense Finance and Accounting Service (DFAS) Military Leave
and Earnings Statement (LES) for the period of 1 to 31 December 2021 receiving CSP with Sea
Duty Time of 1 year, 5 months, and 8 days.

l. Petitioner was issued a DFAS Military LES for the period of 1 to 31 January 2022
receiving CSP with Sea Duty Time of 1 year, 10 months, and 25 days.

m. On 25 July 2022 Petitioner's sea duty counter listed a total of 817 days.

n. On 12 August 2022 Petitioner transferred from [REDACTED] and CSP
stopped.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN,
[REDACTED]

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2),¹ the Board finds the existence of an injustice warranting the following partial corrective action. The Board concluded that Petitioner separated from active duty on 30 June 2005 with a total sea time of 2 years, 5 months, and 20. Petitioner later returned to active duty in 2017 however, his previous sea time was not credited to his pay account and upon reporting to sea duty on the [REDACTED] in July 2020 his sea time for CSP was erroneously reset to zero. In accordance with reference (b),² a member's sea counter is reset to zero for the purpose of CSP-Premium, not entitlement to CSP. Petitioner's previous sea time should have been credited to his account upon return to active duty in 2017. Furthermore, in accordance with enclosure (2), Petitioner is entitled to more sea time than the 1 year, 11 months, and 3 days that he requested, however, the Board determined that Navy Personnel Command shall calculate Petitioner's sea duty time and update his sea duty counter and that DFAS will conduct an audit of Petitioner's financial account to determine his entitlement.

RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner was issued a NAVPERS 1070/613 on 23 July 2020, upon arrival to the [REDACTED] [REDACTED] documenting Petitioner's cumulative sea duty time of 2 years, 5 months, and 20 days.

Petitioner was issued a NAVPERS 1070/613 on 12 August 2022, upon departure from the [REDACTED] [REDACTED] documenting Petitioner's cumulative sea duty time as 4 years, 6 months, and 10 days.

¹ 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.

² Reference (b), personnel eligibility for CSP: A member who is entitled to basic pay is entitled to CSP while serving on a qualifying sea duty assignment. a. Prior to 1 October 2001, E-1 through E-3 personnel were ineligible to receive CSP. b. Prior to 1 October 2001, officers with less than three years of cumulative sea duty were ineligible to receive CSP.

Assignment eligibility for CSP: Permanently assigned to and serving in a vessel designated as a Category A ship or the off-crew of a "two crew" Category A submarine.

For members assigned to and serving in Category "A" vessels on or after 1 January 1981 through 1 October 2001, cumulative years of sea duty during which those members would have been entitled to CSP, except for ineligibility due to paygrade and/or lack of cumulative sea-duty credit, will be credited continuously, day-for-day (See paragraph 8 (30-Day Rule) for members assigned off the vessel for more than 30 consecutive days.

The consecutive sea-duty counter will be reset to zero when a member does any of the following: (a) Executes PCS orders to a normal tour of shore duty upon detachment from a qualifying sea-duty tour. (b) Executes PCS orders to a school that promotes personal development or broad educational values. Undergraduate and postgraduate training and junior/senior staff and war colleges are examples of schools that would reset the consecutive sea-duty counter to zero. (c) Separates from the service for more than 24 hours regardless of the program under which reenlistment may occur.

Category "A" CSP Vessels (Navy) include both SSN and LHA vessels.

Subj: REVIEW OF NAVAL RECORD ICC [REDACTED], USN,
[REDACTED]

Note: Defense Finance and Accounting Service (DFAS) will complete an audit of Petitioner's records to determine retroactive CSP entitlement.

The part of Petitioner's request for corrective action that exceeds the foregoing is denied.

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.

10/21/2022

[REDACTED]

Deputy Director

[REDACTED]