



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

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Docket No. 5694-23
Ref: Signature Date

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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 27 February 2024. 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 Office of the Chief of Naval Operations memorandum █ of 18 July 2023, which was previously provided to you for comment.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You requested to establish entitlement to Continuation Pay (CP). 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 you did not meet the eligibility criteria to receive CP in accordance with Military Personnel Manual Article 1810-081 and Navy Administrative (NAVADMIN) message 158/18. Specifically, the policies indicate Sailors who enrolled in Blended Retirement System are eligible to receive mid-career CP at 12 years of service (YOS) in exchange for an agreement to serve four additional years of obligated service, to run concurrent with any existing service obligation. For the purpose of CP eligibility, 12 YOS is computed from the member's pay entry base date. Additionally, NAVADMIN 158/18 directed Sailors to

make the CP election via the Navy Standard Integrated Personnel System (NSIPS). Sailors that were unable to elect CP through NSIPS could have manually elected CP through their Command Career Counselor.

A review of your record reflects your pay entry base date as 1 November 2007, and you enrolled in Blended Retirement System on 2 January 2018. Your CP election window opened on 1 May 2019, and on 1 October 2019 you were provided email notification of CP eligibility before your last day to elect CP on 31 October 2019. The Board could not find, nor did you provide evidence of receiving improper counseling or system constraints that prevented you from making an informed decision to elect CP prior to reaching 12 YOS. Moreover, the Board found your request for correction to elect CP was untimely. Therefore, in this connection the Board substantially concurred with the comments contained in the advisory opinion and determined that 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,

3/6/2024

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