



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

- b. Petitioner's PEBD is 17 March 2010.
- c. Petitioner elected to opt-in to the BRS on 9 July 2018.
- d. Petitioner's CP election window opened on 17 September 2021.
- e. On 27 January 2022, Petitioner reenlisted for 4 years.
- f. Petitioner's last day to elect CP was 16 March 2022.
- g. On 19 February 2022, Petitioner reported to the [REDACTED] for duty.
- h. In correspondence 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 favorable action.
- i. On 21 December 2023, Petitioner acknowledged CP eligibility, CP obligated service requirements outlined in reference (b), and elected lump-sum payment.

#### 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. Petitioner met the eligibility criteria for CP; however, failed to make the election in accordance with references (b) and (c) prior to passing the 12-year service deadline. The Board found that had Petitioner received clear and timely guidance on making an election to receive CP, he would have followed proper procedures prior to going over 12 years of service. Although Petitioner did not complete the proper administrative requirements, the Board agreed that under this circumstance, relief is warranted.

#### RECOMMENDATION

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

Petitioner in coordination with his command completed the required Continuation Pay NAVPERS 1070/613, Administrative Remarks prior to reaching 12 years of service and submitted it to Commander, Navy Personnel Command for inclusion in the Petitioner's Official Military Personnel File.

Commander, Navy Personnel Command (PERS-8) validated Petitioner's CP eligibility and released CP authorization to Defense Finance and Accounting Service (DFAS). Note: DFAS will complete an audit of Petitioner's pay records to determine retroactive pay entitlement.

That a copy of this report of proceedings will be filed in Petitioner's naval record.

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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.

1/11/2024

[REDACTED]