



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

[REDACTED]
Docket No. 5490-24
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) MILPERSMAN 1810-081
(c) NAVADMIN 132/19

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion by OPNAV(N130), 31 May 24
(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 establish entitlement to Continuation Pay (CP).
2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 16 October 2024 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, found that, before applying to this Board, she exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:
 - a. Petitioner's Pay Entry Base Date is 23 February 2008.
 - b. Petitioner elected to opt-into the Blended Retirement System on 23 October 2018.
 - c. Petitioner's first day eligible to elect CP was 8 January 2020.
 - d. On 7 June 2020, Petitioner reached 11 years 11 months of service from Pay Entry Base Date; Navy Standard Integrated Personnel System (NSIPS) CP eligibility notification emailed to [REDACTED]
 - e. On 7 July 2020, the last day eligible to elect CP, Petitioner signed "Election of Continuation Pay" NAVPERS 1070/613, Administrative Remarks (Page 13) acknowledging the CP obligation and elected four annual payments. The Page 13 was upload to Petitioner's electronic service record but was not verified.

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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 error warranting the following corrective action. Petitioner met the eligibility criteria for CP and completed the manual CP process as authorized by references (b) and (c).² The Board concluded that the Service's failure to verify Petitioner's Page 13 in NSIPS and/or submit for inclusion in her naval record contributed to her not receiving CP. Although the proper administrative requirements were not completed, the Board determined that under these circumstances, relief is warranted.

RECOMMENDATION

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

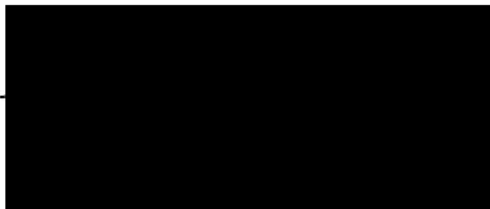
Petitioner in coordination with her command completed the required CP NAVPERS 1070/613, Administrative Remarks prior to reaching 12 years of serve (YOS) and submitted it to Commander, Navy Personnel Command for inclusion in the Petitioner's naval record.

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

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.

10/29/2024



¹ "Since the page 13 was signed 1 day after the eligibility window closed, it is OPNAV N130s opinion that this request be approved."

² Service members who enrolled in Blended Retirement System are eligible to receive mid-career CP at 12 YOS in exchange for an agreement to service 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. Service members unable to elect CP via the Navy personnel system must use permanent NAVPERS 1070/613 to elect CP. Reference (c) specified that for Service members that provided NSIPS with an up-to date email address, NSIPS would send e-mail notifications of CP eligibility at 11 years 6 months YOS, 11 years 9 months YOS and final reminder at 11 years 11 months YOS. Members who were unable to elect CP through NSIPS were authorized to make a manual CP election through their Command Career Counselor.