



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

[REDACTED]  
Docket No. 9347-24  
Ref: Signature Date

[REDACTED]  
[REDACTED]  
[REDACTED]  
  
Dear [REDACTED]

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 8 May 2025. 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 7220 Ser N130/25U0219 of 10 April 2025.

On 15 March 2011, you entered active duty, and your Pay Entry Base Date (PEBD) was established.

In accordance with MILPERSMAN 1810-081 published on 22 February 2020, Continuation Pay (CP) is designed to incentivize Service members to obligate for an additional 4 years of service (YOS) and increase the likelihood that the members will remain in the Navy until eligibility for a regular or non-regular retirement.

The following Service members are eligible to receive CP: (2) RC (Except full time support (FTS)). Any member who is covered under the Blended Retirement System (BRS) and: (a) Has completed not more than 12 YOS in the Military Services as computed from that member's PEBD and (b) Is a member of the Selected Reserve (SELRES) or the Ready Reserve in a status in which the member is eligible to receive basic pay or inactive duty pay for 4 years. Individual Ready Reserve (IRR) members on active duty orders would be required to obtain a SELRES quota through Career Waypoints for enlisted members and through Commander, Navy Recruiting Command for officers in order to fulfill the obligation

in a SELRES status, as computed from that member's PEBD; and (c) Agrees to serve in the SELRES for an additional 4 years of obligated service.

In accordance with NAVADMIN 117/22 published on 20 May 2022, this NAVADMIN informs eligible Service Members that the BRS mid-career CP rates for calendar year (CY) 2023 have been released. Please visit MyNavy Portal at <https://www.mynavyhr.navy.mil/Support-Services/21st-Century-Sailor/Family-Readiness/Personal-Financial-Mgmt/> to view the CY-23 CP pay rates memorandum.

In line with National Defense Authorization Act of 25 November 2015 and National Defense Authorization Act of 23 December 2016, Service Members who want to receive the mid-career CP are reminded that they must be enrolled in BRS and request CP before 12 YOS.

For Service Members who have provided Navy Standard Integrated Personnel System (NSIPS) with an up-to-date e-mail address, NSIPS will send an e-mail notification of CP eligibility at 11 years 6 months YOS, 11 years 9 months YOS and a final reminder at 11 years 11 months YOS. Service Members who are unable to elect CP through NSIPS may manually elect CP through their command career counselor.

In accordance with OPNAVINST 1330.2C Navy Career Intermission Program (CIP) Guidelines, published on 12 March 2018, Background. Public Law 110-417 and Directive-type Memorandum 15-005, Pilot Programs on Career Flexibility to Enhance Retention of Service Members, 8 September 2015 authorize the Military Services in the Department of Defense to establish a program under which officer and enlisted personnel may be temporarily released from active duty with a corresponding appointment or enlistment in the IRR for a period of up to 3 years. CIP provides a one-time temporary transition from active duty to the IRR for members to pursue personal or professional growth outside the Service while providing a mechanism for their seamless return to active duty. The long term intent of this program is to retain the valuable experience and training Service members possess that might otherwise be lost by permanent separation. Service members must return to active duty at the end of the inactive duty period. CIP is a career planning tool that should be thoughtfully and carefully planned.

This program provides authority to: a. allow active duty and full-time support personnel to transition into the IRR for a period not to exceed 3 years while retaining the healthcare benefits of an active-duty member for themselves and their dependents as directed by 10 U.S.C., section 1074, as authorized by section 533; b. allow the Navy to adjust the date of rank of an officer who is placed back on active duty after serving in the IRR; c. allow the Navy to adjust the time in rate (TIR) and effective date of paygrade for enlisted personnel who return to active duty after serving in the IRR; and d. exempt participants from promotion or advancement consideration while in the IRR.

**IRR Status.** Upon release from active duty, program participants will be appointed or gained in the IRR and counted towards IRR end strength. All program participants will return to active duty at the end of their period of participation in the program at which point they will continue to count towards active component (AC) end strength. **IRR Exceptions.** All participants are ineligible for consideration for promotion and advancement while in the IRR.

TIR will be adjusted in the same manner prescribed for Navy veterans with a break in service as described in reference (e), chapter 2.

On 31 December 2018, you opted-in to the BRS.

You were released from active duty and transferred to the Navy Reserve with an honorable character of service and were issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 15 March 2011 to 1 August 2021 due to Career Intermission Pilot Program.

In accordance with NSIPS, First day BRS Continuation Pay eligibility to elect CP was 15 September 2022. Last day eligibility to elect CP was 14 March 2023. Additionally, CP eligibility email was sent to you via email at ██████████ on 15 February 2023.

On 1 May 2024, you reenlisted in the U.S. Navy for 6 years with an End of Active Obligated Service of 30 April 2030. On 5 June 2024, you were discharged to accept an active duty commission in same branch of service.

You were issued an Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) on 12 April 2024, with a designator code of 2500 (Staff Corps Officer billet requiring Law specialty) in the active U.S. Navy listing block 18 (Permanent grade) LTJG, block 19 (Permanent grade date) 9 June 2023, block 20 (Present Grade) LTJG, and block 21 (Present grade date) 9 June 2023. You/witness signed this form on 6 June 2024.

You requested to establish eligibility to elect CP. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that MILPERSMAN 1810-081 and NAVADMIN 117/22 indicate Sailors in the AC, FTS, or SELRES who enrolled in the BRS are eligible to receive mid-career CP at 12 YOS, in exchange for an agreement to serve four additional years of obligated service in his or her respective component commencing on the 12th anniversary of the member's PEBD. Additionally, NAVADMIN 117/22 directed Sailors to make the CP election via the NSIPS prior to 12 YOS. Service Members who provided NSIPS with an up-to-date email address, received notifications of CP eligibility at 11 years six months YOS, 11 years nine months YOS and final reminder at 11 years 11 months YOS.

Your PEBD is 15 March 2011, and you enrolled in BRS on 31 December 2018. On 1 August 2021, you were released from active duty and transferred to the Navy Reserve – IRR under the CIP. You were issued notifications of CP eligibility to diamond.m.harris.mil@mail.mil during your CP election window of 15 September 2022 to 14 March 2023. The Board determined you were assigned to the IRR on the anniversary of your 12 YOS and thereafter returned to active duty. Therefore, you are not eligible to elect AC CP. Furthermore, you were not assigned to a SELRES status and providing you with an exception to policy would not absolve you of the requirement for you to serve 4 years in the SELRES from 15 March 2023. Finally, you received the benefit of the CIP, which required your transfer to the IRR, therefore, the Board determined that amending your status in the IRR for CP eligibility would be inappropriate. The Board thus

concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

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,

5/13/2025

