



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

LCC
Docket No. 5382-06
19 Oct 06

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

Subj: [REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments
(2) CNO memo 7220 Ser N130G1/06U0544 of 25 Sep 06
(3) Subject's naval record

1. Pursuant to the provisions of reference (a) Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show Petitioner made a timely election of the REDUX Retired Pay System and is entitled to a lump sum payment of the Career Status Bonus (CSB) in the amount of \$30,000.00.

2. The Board, consisting of Messrs. Beckett, Dunn, and Pfeiffer, reviewed Petitioner's allegations of error and injustice on 17 October 2006 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, naval records, 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. 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.

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.

RECOMMENDATION:

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

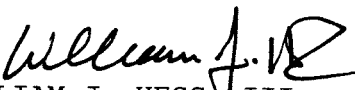
a. Petitioner made an election to accept the \$30,000.00 lump sum payment of the CSB on 10 June 2005. On 14 June 2005 the election was entered into the Force Management System and the Force Management System will reflect Petitioner elected the REDUX Retired Pay System.

b. When Petitioner made the election to enter into the REDUX Retired Pay System he was authorized payment of the \$30,000 CSB in one lump sum payment on 25 June 2005, the anniversary date of his 15th year of active duty. The payment of CSB will be tax free **if** Petitioner was assigned to a tax free zone during any part of the month he became entitled to the payment of CSB.

c. A copy of this Report of Proceedings will be filed in Petitioner's naval record.


4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that 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.

ROBERT D. ZSALMAN
Recorder


WILLIAM J. HESS, III
Acting Recorder

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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

19 October 2006


W. DEAN PFEIFFER
Executive Director