



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

[REDACTED]  
Docket No. 288-20  
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) DoD 7000.14-R FMR Vol. 7A, Ch. 35

Encl: (1) DD Form 149 w/attachments  
(2) CNP memo 7220 Ser N130C3/20U0260 of 21 Feb 20  
(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 his naval record be corrected to show Petitioner carried 100 days of accrued leave forward upon his discharge in order to accept commission in July 2013.

2. The Board, consisting of [REDACTED], [REDACTED] and [REDACTED] reviewed Petitioner's allegations of error and injustice on 6 April 2021 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, 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. On 11 June 2009, Petitioner signed a Health Services Collegiate Program (HSCP) Medical (MC), Dental (DC) and Medical Service Corps (MSC) Programs (21007/22007/23007) Service Agreement.

c. On 11 June 2009, Petitioner enlisted in the U.S. Navy under the Health Services Collegiate Program (HSCP) Medical (MC), Dental (DC) and Medical Service Corps (MSC) Program (21007/22007/23007) Service Agreement NAVCRUIT 1131/130.

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

d. In accordance with reference (b), a member may not carry forward a leave balance of more than 60 days into a new fiscal year, except during the period October 1, 2008 through September 30, 2015, when 75 days may be carried forward or when entitled to Special Leave Accrual (SLA). Members with 75 days of leave under this provision will need to use 45 days of leave during the period from October 1, 2014 to September 30, 2015; otherwise, leave in excess of 60 days on September 30, 2015 will be lost.

e. On 25 July 2013, Petitioner was discharged in order to accept commission or warrant in same branch of service.

f. On 25 July 2013, Petitioner was appointed a Lieutenant in the inactive U.S. Navy Reserve with a designator code of 2105 via NAVPERS 1000/4 (Officer Appointment Acceptance and Oath of Office).

g. Petitioner's Leave and Earnings Statement (LES) for the period of 1 to 31 July 2013, listed a new leave balance of 100 days.

h. On 1 July 2018, Petitioner was appointed a Lieutenant in the active U.S. Navy with a designator code of 2100 via NAVPERS 1000/4 (Officer Appointment Acceptance and Oath of Office).

i. 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 partial corrective action. The Board concluded that Petitioner should have carried forward accrued leave upon his discharge in order to accept commission (25 July 2013).

## RECOMMENDATION

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

Petitioner carried forward accrued leave upon his appointment to Lieutenant in the inactive U.S. Navy Reserve. Furthermore, Petitioner carried forward accrued leave upon his appointment to Lieutenant in the active U.S. Navy.

Note: Defense Finance and Accounting Service (DFAS) will complete an audit of Petitioner's records. All rules and regulations will be considered for possible adjustments, and that leave be credited to his account if applicable.

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

That part of the Petitioner's request for corrective action that exceeds the foregoing is denied. The Board cannot properly calculate the exact number of days Petitioner would have been entitled to then and what the total would be now.

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

4. 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.

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.

[REDACTED] 5/4/2021  
Deputy Director  
Signed by: [REDACTED]