



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

█  
Docket No. 3266-21  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO █, USN, XXX-XX-█

Ref: (a) Title 10 U.S.C. §1552  
(b) MILPERSMAN 1050-010 of 29 Mar 13

Encl: (1) DD Form 149 w/attachments  
(2) OCNO memo 7431 Ser N130C2/22U0053 of 7 Jan 22  
(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 her naval record be corrected to show Petitioner was credited with 19 days of leave that were erroneously charged.

2. The Board, consisting of █, █, and █ reviewed Petitioner's allegations of error and injustice on 18 January 2022 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. In accordance with reference (b), non-chargeable leave is a period of authorized absence granted as a delay in reporting to the first duty station in the case of graduates of the U.S. Naval Academy who are appointed commissioned officers in the Armed Forces. Graduation leave is not chargeable to a Service member's leave account and must be used within 3 months of the officer's graduation and before the officer reports to the first duty location or port of embarkation (for permanent duty or with deployed units).

c. On 22 May 2020, Petitioner signed an Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) and was appointed an Ensign in the U.S. Navy with a present grade date of 22 May 2020. Petitioner was issued a designator code of 1830 (Special Duty Officer – Intelligence Officer). Petitioner was authorized 30 days on non-chargeable "Graduation Leave" due to graduating from the United States Naval Academy. This graduation leave must be used by 22 August 2020 and will not be carried forward as credit beyond the date of reporting to the first permanent duty station or to a port of embarkation for permanent duty outside the 48 contiguous United States or in Alaska or Hawaii.

d. On 27 May 2020, Petitioner was issued official new appointment orders (BUPERS order: █) while stationed in U.S. Naval Academy. Intermediate activity was █ for temporary

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[REDACTED] duty under instruction with an effective date of arrival of 10 August 2020. Ultimate activity was [REDACTED] for duty under instruction with an effective date of arrival of September 2020.

e. On 20 July 2020, Petitioner transferred from the U.S. Naval Academy, and arrived to [REDACTED] on 9 August 2020 for duty under instruction.

f. On 7 September 2020, Petitioner was charged leave from 20 July 2020 to 7 August 2020 (19 days).

g. 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. The Board concluded that Petitioner used her graduation leave within 3 months of her graduation date from the U.S. Naval Academy, therefore in accordance with MILPERSMAN 1050-010 the leave qualifies as non-chargeable leave.

#### RECOMMENDATION

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

Petitioner's leave period from 20 July 2020 to 7 August 2020 is non-chargeable graduation leave.

Note: As a result of this change, Petitioner will be credited with the 19 days of leave that were previously charged on 7 September 2020.

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.

2/16/2022

[REDACTED]

Deputy Director

Signed by: [REDACTED]