



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

[REDACTED]
Docket No. 4254-21
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. §1552
(b) DoD 7000.14-R FMR Volume 7A, Chapter 35
(c) MILPERSMAN 7220-340 of 25 Sep 18

Encl: (1) DD Form 149 w/attachments
(2) 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 his naval record be corrected to show Petitioner was eligible for and received Lump-Sum Payment for Accrued Leave of 30.0 days.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 9 November 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. In accordance with reference (b), a Service member is entitled to receive payment for no more than 60 days of accrued leave during a military career.

c. In accordance with reference (c), enlisted Service members may sell a portion of accrued leave and carry forward the remainder to a new enlistment or first extension.

d. On 25 January 2021, Petitioner signed a Command Career Request (NPPSC 1160/1) requesting a 5 year reenlistment effective 1 March 2021 and sell back 30 days leave. Request was approved by cognizant authority on 28 January 2021.

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

e. On 1 March 2021, Petitioner reenlisted for 5 years with an EAOS of 28 February 2026; however Petitioner's contract listed Lump Sum Leave (LSL) sellback 00.0.

f. Petitioner's Defense Finance and Accounting Service Military Leave and Earnings Statement for the period of 1 to 31 May 2021 with a current leave balance of 69.5. However, in accordance with Petitioner's Master Military Pay Account (MMPA), he currently has a leave balance of 64.5.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of references (b) and (c), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner requested to sell back 30 days of leave when he submitted his NPPSC 1160/1; however, his reenlistment contract listed 00.0 LSL sellback and he did not receive the requested payment.

RECOMMENDATION

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

Petitioner's immediate reenlistment contract (NAVPERS 1070/601) executed on 1 March 2021 for 5 years listed LSL SELLBACK of "30.0" vice "00.0."

Note: This change will entitle the member to a Lump-Sum Payment for Accrued Leave of 30.0 days.

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.

12/2/2021

[REDACTED]
Deputy Director
[REDACTED]