



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

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Docket No. 2710-23
Ref: Signature Date

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Dear █:

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 13 December 2023. 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.

On 1 October 2020, you brought forward 90.0 days leave. Subsequently, you earned 10.0 days leave and you used 100.0 days leave for a balance of 0.0.

You retired with an honorable character of service and were issued a DD Form 214, Certificate of Release or Discharge from Active Duty for the period of 24 May 2000 to 31 January 2021 upon having sufficient service for retirement. Furthermore, accrued leave paid was none.

On 22 February 2021, in accordance with the Master Military Pay Account (MMPA), your basic pay stopped on 31 January 2021.

On 22 February 2021, you were credited with a payment for 60 days of accrued leave in the amount of \$19,632.00; however, on 15 April 2021 you were charged \$19,632.00 for 60 days leave.

On 15 February 2023, Defense Finance and Accounting Services (DFAS) notified you that your debt is due to payments received after you entered a no pay status due to separation as of 31 January 2021. These payments are as follows: Separation pay \$5,322.30 of 8 February 2021.

On 6 December 2023, DFAS notified the Board that, “[you] had a debt in the original amount of \$4,294.04 due to payments received after he entered a no pay status zone due to separation as of 31 January 2021. The debt has been paid in full. The debt was interfaced so there are no debt documents.”

You requested to reverse the recoupment collected by DFAS for your last active duty paycheck received on 8 February 2021. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded, based on the information available, that the debt occurred because your 31 January 2021 separation was not reported until 22 February 2021. Furthermore, that same date your MMPA shows that payment for 60 days of leave was erroneously credited to you. This error was corrected on 15 April 2021 and the erroneous payment was recouped. As a result of the abovementioned adjustments to your leave account, other adjustments would have been made to your financial record, which could have affected your pay and entitlements for the period you took leave. By the time you received your notification of indebtedness from DFAS, the leave issue would have been settled and your other active duty pay and entitlements would have been recalculated. Therefore, the Board found no error to your record and recommended that you contact DFAS so that they can conduct an audit of your financial record and provide you with a detailed account of all adjustments made to your financial record.

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,

12/17/2023

