



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

[REDACTED]
Docket No. 6966-17
JAN 16 2018

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

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 this Board requesting, in effect, that the applicable naval record be corrected to sellback accrued leave.
2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 5 January 2018 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 that before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

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 Petitioner submitted a reenlistment request with the intent to sellback 15 days of accrued leave upon executing a 3 year reenlistment contract on 23 June 2017. Due to an administrative error, the Petitioner's reenlistment contract reflected a Lump Sum Leave (LSL) sellback of 00.0 days vice 15.0 days. Hence, the Petitioner did not receive LSL sellback of 15 days.

RECOMMENDATION

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

The immediate reenlistment contract (NAVPERS 1070/601), executed on or about 23 June 2017 is modified to read: LSL Sellback "15.0" vice "00.0". Note: Petitioner's leave balance will be reduced by 15 days, and he will be entitled to payment for 15 days of leave.

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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.

[REDACTED]
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.

[REDACTED]
Executive Director