



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

██████████
Docket No. 6117-23
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 18 January 2024. 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. In addition, the Board considered the advisory opinion contained in Office of the Chief of Naval Operations memorandum 7220 Ser N130C3/23U1024 of 15 August 2023, which was previously provided to you and your response to the opinion.

In accordance with MILPERSMAN 1050-150 of 22 August 2002, any delay authorized in orders directing a permanent change of station in excess of allowed proceed time or travel time is chargeable to leave.

On 25 January 2023, you were issued official change duty orders (BUPERS Order: ██████████) with required obligated service to June 2026, while stationed in ██████████, ██████████, ██████████ with an effective date of departure of April 2023. Your ultimate activity was ██████████, ██████████, ██████████ for duty with an effective date of arrival of 17 May 2023 with a Projected Rotation Date (PRD) of June 2026. Provided no excess leave involved, member is authorized to delay 30 days in reporting to count as leave (MILPERSMAN 1050-150).

On 14 February 2023, you signed a Passenger Reservation Request (NPPSC 4650/1) with a detachment date of 10 April 2023 and availability travel start date/time was 8 May 2023/06:00.

On 10 April 2023, you transferred from ██████████, and arrived to ██████████ on 16 May 2023 for duty.

On 23 May 2023, you were charged leave (Delay en-route/Operations travel) for the period of 10 April 2023 to 9 May 2023 (30 days).

You requested to have the appropriate amount of leave days placed back into your record that were charged to your leave account in conjunction with executing BUPERS Order: ██████████, the Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that attempted multiple times during and before your transfer to get an itinerary for your flight on 8 May 2023 and you were told multiple times that your flight information would not arrive to you until 3 days prior. Additionally, you state you went on leave on 10 April 2023, “the week before your transfer”. However, the Board concluded that on 14 February 2023, you signed an NPPSC 4650/1 with a detachment date of 10 April 2023 and your History of Assignments lists your date of transfer as 10 April 2023. Furthermore, you were aware prior to transferring that you would not receive an itinerary earlier than 72 hours prior to your flight and you could have adjusted your transfer/leave period accordingly. IAW with the MILPERSMAN 1050-150; any delay authorized in orders directing a permanent change of station in excess of allowed proceed time or travel time is chargeable to leave. You were not in a duty status, therefore changing your transfer date to give you 7 days of leave is not appropriate. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

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,

1/25/2024

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