



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

██████████  
Docket No. 8103-23  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO FORMER MEMBER ██████████, USNR,  
XXX-XX-██████████

Ref: (a) Title 10 U.S.C. § 1552  
(b) DoD 7000.14-R FMR Volume 7A, Chapter 1

Encl: (1) DD Form 149 w/attachments  
(2) Advisory Opinion by NPPSC memo 7220 N1, 20 Feb 24  
(3) NPPSC email, 5 Mar 24  
(4) 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 that his naval record be corrected to show he received pay entitlements from 7 October through 16 November 2022.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 30 April 2024 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. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. On 11 June 2020, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 10 June 2024.

b. On 13 September 2022, Petitioner was issued official separation orders (BUPERS order: ██████████) while stationed in ██████████, ██████████, ██████████ with an effective date of departure of September 2022. Petitioner's intermediate (01) activity was ██████████ ██████████, ██████████, ██████████ for temporary duty under instruction with an effective date of arrival of 14 September 2022. Petitioner's place elected for travel: ██████████, ██████████ with an actual date of separation of 7 October 2022.

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c. On 19 September 2022, Petitioner transferred from ██████████ and arrived to ██████████ on 19 September 2022 for duty.

d. On 3 October 2022, Petitioner was issued official modification to separation orders (BUPERS order: ██████████) while stationed in ██████████, ██████████, ██████████ with an effective date of departure of September 2022. Petitioner's intermediate (01) activity was ██████████, ██████████, ██████████ for temporary duty pending separation with an effective date of arrival of 14 September 2022 for approximately 23 days. Petitioner's place elected for travel: ██████████, ██████████ with an actual date of separation of 7 October 2022.

e. On 4 October 2022, Petitioner's Reporting Senior signed a Regular Evaluation Report and Counseling Record for Petitioner for the period of 16 July 2022 to 7 October 2022. This was a Detachment of Individual and he received a Promotable and retention recommendations.

f. Petitioner was Discharged with an honorable character of service and was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 11 June 2020 to 7 October 2022 due to Misconduct – Serious Offense. DD Form 214 was signed by Official Authorized to Sign on 16 November 2022.

g. On 15 and 16 November 2022, ██████████, ██████████ listed Petitioner as "Present."

h. On 22 December 2022, Petitioner's Master Military Pay Account (MMPA) printout listed a Lump-Sum Leave payment of \$1,263.08 (16.5 days) with an "entry close date" of 28 November 2022 effective 7 October 2022, and also listed Basic Pay "entry close date" of 28 November 2022 effective 7 October 2022.

i. On 25 September 2023, Commanding Officer (CO), ██████████, ██████████ notified Personnel Support Detachment, ██████████, ██████████ that, "[s]ervice member reported to ██████████/█████████, ██████████ to be processed for separation on 6 September 2022. Member was held on station past his EAOS due to a delay in the separation process from [TSC], ██████████. Request authorization for service member's pay entitlements from 7 October 2022 to 16 November 2022 in accordance with DoD FMR Regulation, Volume 7A, Chapter 3."

j. On 20 February 2024, CO, Navy Pay and Personnel Support Center notified the Board that, "[t]he service member was administratively separated on 7 October 2022 based on authorization in ██████████ message DTG ██████████ February 2022. The service member was assigned to ██████████. His command submitted Salesforce case ██████████ to ██████████ on 7 September 2022 to request Administrative Separation (ADSEP) orders. The original orders are not in any of the Salesforce cases for his transfer, gain, or ADSEP; I found only an order modification which was issued on 3 October 2022. The member reported to ██████████ on 19 September 2022 for separation processing. ██████████ submitted Salesforce case 01701350 on 5 October 2022 with an effective date of 7 October 2022 ██████████ processed the separation for 7 October 2022. The service member had orders with which he could have funded travel from ██████████

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to his home of record, however, his DD-214 was not completed until 16 November 2022. There is no indication in the separation Salesforce case that the member was directed by anyone to remain on station until his DD-214 had been completed.

NPPSC cannot pay the service member for pay and entitlements past their EAOS without authorization. Due to the command submitting the separation late, the member did not receive their DD-214 at the time of separation. The member was not authorized by anyone at NPPSC to remain on station until they received their DD-214.”

k. On 23 February 2024, Executive Officer (XO), [REDACTED] notified the Board that, “[a]s discussed on the phone, I don’t have anything documented as to the reason behind it, but [REDACTED] was processed for Admin Separation and received separation orders to be separated on 7 October 2022. SVM’s DD-214 was not signed and released until 16 November 2022. For unknown reasons (all staff members who would have been involved in this case have since transferred from this command), [REDACTED] was ordered to remain onboard [REDACTED] [REDACTED] past his 7 October 2022 separation date until his DD-214 was released on 16 November 2022.

I have attached a copy of his latest separation orders for 7 October 2022 as well as muster reports from [REDACTED] showing he was mustered as present through 16 November 2022. I added an asterisk next to his name on the muster report pages from 15 and 16 November. Once his DD-214 was released on 16 November 2022 he departed the command and went on to his HOR/place of residence post naval service.”

l. On 5 March 2024, Navy Pay and Personnel Support Center Administrative Officer notified the Board that, “[e]ven with the muster reports, that is not enough for us to pay the member past his approved separation date. The member should not have stayed past his approved separation date, it is unclear why he did, other than the below stating he was ordered to. That order would not have come from us and probably would have been his local leadership giving it.”

m. On 12 March 2024, Petitioner submitted a rebuttal to the advisory opinion stating, “I was informed by the servicemembers in charge of separation at [REDACTED] that I was required to maintain at [REDACTED] until my DD-214 was completed. I was required to help clean and maintain the building [REDACTED] resides at during, as well after my initial discharge orders. The memo references the CO of [REDACTED] as well as [REDACTED] [REDACTED], as they were the ones informing me that I could not leave my station until my DD-214 was in fact completed. I also wanted to point out that they did NOT in fact inform me that I could leave. If I had the confirmation to leave [REDACTED], I would have driven home myself as I had a vehicle on station. There are also others who also were required to remain on station until their DD-214s were also completed.”

## CONCLUSION

Upon review and consideration of all the evidence of record, and notwithstanding the comments contained in enclosures (2) and (3), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner’s separation orders show a

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separation date of 7 October 2022 and MMPA shows basic pay stopped effective 7 October 2022. However, Petitioner states he was required to stay on station due to the delay in the separation process from [REDACTED]. This was corroborated by statements from CO and XO, [REDACTED], and the muster sheets from 15 and 16 November 2022 showing Petitioner was present for duty. Furthermore, Petitioner's separation was reported on 28 November 2022 with an effective of 7 October 2022. Because Petitioner was present for duty and his XO confirms that Petitioner was ordered to remain onboard [REDACTED] past his 7 October 2022 separation date until his DD Form 214 was released on 16 November 2022, the Board determined that Petitioner is entitled to pay and entitlements for that period in accordance with reference (b).<sup>1</sup>

#### RECOMMENDATION

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

Petitioner's official modification to separation orders (BUPERS order: [REDACTED]) were issued on 3 October 2022 listed an effective date of separation of 16 November 2022 vice 7 October 2022.

Petitioner's DD Form 214 signed by authorized official on 16 November 2022 listed block 12b (Separation date this period) 16 November 2022 vice 7 October 2022. Note: That any other entries affected by the Board's recommendation be corrected.

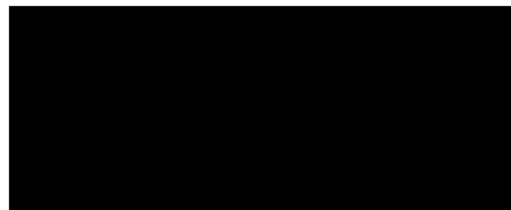
Note: Defense Finance and Accounting Service will complete an audit of Petitioner's records to determine if Petitioner is due any back pay and allowances.

That a copy of this report of proceedings be filed in Petitioner's naval record.

4. It is certified that a 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 the reference, has been approved by the Board on behalf of the Secretary of the Navy.

5/17/2024



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<sup>1</sup> Reference (b), members are entitled to receive pay according to their pay grades and years of service if they are: on active duty in a pay status; and not prohibited by law from receiving such pay.