



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

■  
Docket No. 10713-23  
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552  
(b) MILPERSMAN 7220-340, 25 Sep 18

Encl: (1) DD Form 149 w/attachments  
(2) Advisory Opinion by CNO memo 7220 Ser N130C3/24U0113, 2 Feb 24  
(3) 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 that Petitioner sold his unused annual leave after the mobilization periods in 2019 and 2020.
2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 21 August 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 16 July 2019, Petitioner was issued Ordered to Active Duty for Training (ADT)-Special (NROWS/4699036/0 SDN: N0072R19SP15004) Commander, Navy Reserve Force Orders you to Report for ADT-Special to the Commanding Officer, [REDACTED], [REDACTED], [REDACTED], [REDACTED] no later than 0800 on 16 August 2019 for duty with [REDACTED], UIC: [REDACTED]. Period of duty: 14 August 2019 to 15 September 2019 for 33 days.
  - b. On 16 July 2019, Travel Voucher (BPNAPLESNAVAL081419\_V01/Auth. No: 2C7RNW) was issued and paid for the period of 14 August 2019 to 15 September 2019. Total Amount Claimed \$10,511.3, Advance Outstanding \$0.00, Advance Applied \$0.00 \$- 0.00, Prev PMTS To GOVCC \$0.00 \$- 0.00, and Net to Traveler (Govt) \$10,511.3. Trip purpose/type was Training Attendance Temporary Duty Travel (Routine).

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[REDACTED]

The Defense Finance and Accounting Service (DFAS) military leave and earnings statement for the period covered 13 September 2019 listed the following: Earned 3.0, and Current Balance 3.0. Use/Lose 3.0 days.

c. On 1 July 2020, Petitioner was issued Ordered to ADT-SPEC (NROWS/4881248/0 SDN: N0072R20SP10029) Commander, Navy Reserve Force Orders you to Report for ADT-Special to the Commanding Officer, [REDACTED], [REDACTED], [REDACTED] no later than 0730 on 14 July 2020 for duty with [REDACTED], UIC: [REDACTED]. Period of duty: 14 July 2020 to 30 September 2020 for 79 days.

d. On 1 July 2020, Travel Voucher (BPNAVALBASECO071420\_V01/Auth. No: 2FOICJ) was issued and paid for the period of 14 July 2020 to 30 September 2020. Total Amount Claimed \$19,649.3, Advance Outstanding \$0.00, Advance Applied \$16,579.0 \$-16,579.0, Prev PMTS To GOVCC \$0.00 \$- 0.00, and Net to Traveler (Govt) \$3,070.32. Trip purpose/type was [REDACTED]. [REDACTED]. The DFAS military leave and earnings statement for the period covered 1 October 2020 listed the following: Brought Balance 5.0, Earned 2.5, and Current Balance 7.5. Use/Lose 7.5 days.

e. In the advisory opinion, attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action.

## 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 error warranting the following corrective action. Petitioner met the basic eligibility criteria to elect lump sum leave payment. In accordance with reference (b), sailors who desire to carry over leave must sign NAVPERS 1070/613 documenting desire for leave carryover prior to the end of each active duty period. Failure to make an election or non-receipt of the NAVPERS 1070/613 by the servicing personnel detachment prior to the end of any active duty period(s) will result in lump-sum payment for accrued leave. The Board determined that the Personnel Support Detachment failed to complete the process in accordance with reference (b). Although the proper administrative requirements were not completed, the Board determined that under these circumstances, relief is warranted.

## RECOMMENDATION

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

Petitioner was entitled to sell accrued leave earned in connection with ADT Special orders for the period of 14 August 2019 to 15 September 2019 and 14 July 2020 to 30 September 2020.

Note: The DFAS will complete an audit of Petitioner's pay records to determine leave earned and not taken for the periods listed and determine amounts due, if any.

A copy of this report of proceedings will be filed in Petitioner's naval record.

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[REDACTED]

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 titled 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.

9/9/2024

