



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

██████████  
Docket No. 8111-24  
Ref: Signature Date

████████████████████  
████████████████████  
████████████████████

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 6 May 2025. 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 Commanding Officer, Navy Pay and Personnel Support Center memorandum 7200 N1 of 25 February 2025, which was previously provided to you for comment.

In accordance with DoD 7000.14R FMR Volume 7A, Chapter 25, a member who is discharged or separated under honorable conditions is entitled to payment of unused accrued leave unless the member continues on active duty under conditions that require accrued leave to be carried forward, or in the case of a Reserve Component member, the member elects to have the leave carried forward to the member's next period of active service. An enlisted member who voluntarily extends their enlistment for the first time is also entitled to payment for unused accrued leave. "Leave Payments and Debts. Payments for accrued leave may be used to satisfy debts to the U.S. Government without restriction."

On 25 May 2023, you were issued official separation orders (BUPERS order: 1453) while stationed in ██████████ with an effective date of departure of June 2023. Furthermore, the following information was provided: "Present CO directed to detach member in time to permit completion separation processing not later than 30 Jun 2023 IAW MILPERSMAN 1050-300 series."

You resigned with an Honorable character of service and were issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 4 December 2020 to 30 June 2023 due to hardship. Furthermore, block 16 (Days accrued leave) listed 34.5.

On 21 December 2023, your Master Military Pay Account (MMPA) shows the following (Basic Pay): “ENTRY-OPEN-DT 230622 18 06 2 ENTRY-CLSD-DT 230810 11 08 2 CNTRL-CODE 2 ACTN V2 START 230625 STOP 230630 ENTLMT-MM 2,748.45 ENTLMT -5,496.90 ENTLMT-NM 0.00 MNTLY-RATE 5,496.90.”

On 21 December 2023, your MMPA shows the following (Lump-Sum Leave): “ENTRY-OPEN-DT 230810 11 08 2 ENTRY-CLSD-DT 230810 11 08 2 CNTRL-CODE 2 ACTN 03 START 230630 ENTLMT 6,321.44 LUMP-SUM 34.5 6,321.44 ENTLMT 0.00 NR-DEPN-ACRD-LV-BAQ 0 ENTLMT 0.00.”

On 8 March 2024, Defense Finance and Accounting Service (DFAS) notified you that “[t]he Defense Finance and Accounting Service (DFAS) is the Department of Defense (DoD) agency responsible for collection of individual debts owed to the United States Government by former DoD employees, service members, or other debtors. Pursuant to 31 U.S.C. 3716, your debt(s) has been referred to the DFAS Debt and Claims Management Operations for collection. Please refer to the enclosed Account Statement for information concerning the debt(s) along with payment instructions.”

“Debt [\$8,203.27] is due to payments received after you entered a no pay status due to your separation on 06/30/2023.”

On 8 July 2024, DFAS notified The Honorable ██████████, United States Senate that “[t]his is in reply to your inquiry on behalf of ██████████ concerning his debt account ██████████ with the Department of Defense (DoD). ██████████ concerns are that he is not clear on the origin and validity of the debt that he received ten months after he completed his enlistment with the United States Navy. He states that the original correspondence was mailed to the incorrect address. A similar response was sent to Senator Paul.

Research, show’s ██████████] debt is the result of the overpayment of pay and allowances past his expiration term of service (ETS) June 30,2023 from the United States Navy. Leave and Earning Statement (LES) [enclosed]for the end of the month July; shows that member was paid July 1st through July 31, 2023, as well as his Separation Final pay worksheet. As for the delay in notification of this debt, debt letters are sent to the members’ last known address as maintained by the DoD Component’s file.

We received his debt February 28, 2024. We initially notified ██████████ of his indebtedness on March 08, 2024, to the address on file at ██████████. Due to nonpayment the debt was reported to the credit bureau on May 19,2024.

██████████ contacted our customer care center on May 20,2024 to inquire about the debt. At that time an explanation of the debt was given, and ██████████ address was updated. He requested more detailed information and was advised to contact his last servicing finance

office. He was also advised that he has the option to submit a Voluntary Repayment Agreement/ Financial Hardship Application (VRA /FHA) packet. In the meantime, he would need to submit a payment to make his account current and prevent it for being subject to more aggressive collection procedures.

██████████ again contacted our Customer Care center on June 6, 2024. The customer representative placed a temporary hold on the account in order assist him creating his payment plan in the system. He was advised that if he did not complete the payment process that his account would be released and be forwarded to private collection agency. As of this letter we are still awaiting the submission of his VRA/FHA.

A breakdown of his account balance is provided below, also the worksheet is enclosed.  
\$8,203.27 Total debts, \$55.94 Interest, \$10.00 Admin, and \$8,269.21 Current Balance...”

On 8 August 2024, DFAS notified BCNR that “[t]he BL line shows the leave days paid which was 34.5 on 30 Jun 2023. The 74 line also shows the leave sold which was 34.5 days in the amount of \$6,321.44. The final pay that he was due was applied to his out of service debt.”

You requested the recalculation of your debt owed, the Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that, “Bank statements from the months of June and July 2023 show that I was in fact not paid the balance of my liquidated leave, however it does show deposits corresponding to payments made in July.” However, the Board concluded that per the MMPA, your separation was reported on 10 August 2023 with an effective date of 30 June 2023. You received three payments after your separation: 15 July 2023 in the amount of \$4,241.28, 1 August 2023 in the amount of 4,255.28, and 15 August 2023 in the amount of \$4,241.28. In accordance with DoD 7000.14R FMR, your leave sell back was applied towards your debt resulting in a balance of \$8,203.27. 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,

5/12/2025

[illegible]