



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 22204

██████████
Docket No. 5633-25
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 January 2026. 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 the Office Chief of Naval Operations memorandum 7220 N130C3/25U0445 of 21 July 2025, which was previously provided to you for comment.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

In accordance with MILPERSMAN 1050-070 published on 22 January 2010, Special Leave Accrual [SLA]. Policy. It is Navy policy to authorize members to accrue up to 120 days earned leave when assigned to duty under any of the circumstances specified under the 'Eligibility Criteria' table.

On 6 June 2022, Commander, Navy Personnel Command notified you via ██████████ ██████████ that "[y]our request for retention on active duty in a retired status, your letter of 26 October 2021 with enclosure, has been approved until 31 July 2024. The decision to approve your request was made after carefully reviewing current billet requirements and concluding that an immediate need exists for your expertise."

On 19 October 2023, you were issued official retirement orders (BUPERS order: 2923) while stationed in ██████████ with an effective date of departure of July 2024. Furthermore, the following was listed: In view of your scheduled retirement to be effective 01 Jun

2023. On 01 Jun 2023 you will be transferred to the retired list with grade of CAPT and with retired pay of CAPT, pursuant to provisions of 10 U.S.C. SEC. 634. Upon being placed on the retired list you are hereby retained on active duty in a retired status until 31 July 2024.

On 9 January 2024, you were issued official modification to retirement orders (BUPERS order: 2923) while stationed in ██████████ with an effective date of departure of August 2024. Furthermore, the following was listed: In view of your scheduled retirement to be effective 01 Jun 2023. On 01 Jun 2023 you will be transferred to the retired list with grade of CAPT and with retired pay of CAPT, pursuant to provisions of 10 U.S.C. SEC. 634. upon being placed on the retired list you are hereby retained on active duty in a retired status until 31 Aug 2024.

On 7 February 2024, you submitted a Leave Request/Authorization (SECNAV 7000/8T) for the period of 5 June 2024 to 31 August 2024. Furthermore, your request was approved on 7 February 2024 by cognizant authority.

On 28 May 2024, you submitted a Leave Request/Authorization (NAVCOMPT Form 3065) for the period of 7 June 2024 to 31 August 2024. Furthermore, your request was approved on 28 May 2024 by cognizant authority.

You were retired 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 21 May 1993 to 31 August 2024 due to maximum service or time in grade.

On 10 February 2025, you notified ██████████ that “[y]esterday I reached out to ██████████ in who served as my POC when I retired this past summer (RED: 1 Sep 2024). She finalized my terminal leave and DD214. My goal was to use all of my accrued AND COVID special leave accrual with a zero balance or debt to the government. I have many emails that ██████████ and I shared with one another this past May/June to achieve this goal.

I successfully retired on 1 Sept. This past December I unfortunately received an indebtedness letter from DFAS due to a negative leave balance. I paid the debt in full (\$2,550.77) but am disputing it.

Upon review of my LES, my COVID special leave accrual was NOT taken into consideration. Not taking this into account triggered this debt in error. I submitted my dispute on 6 Jan 2025 (original #05166506) and have called numerous times for follow up (i.e. 1/12, 1/16, 1/27, and 2/7). The status is now "under management". ██████████ provided me #03777495 - I do not know which number is correct.”

On 17 December 2024, DFAS-IN/Debt and Claims notified you of your Indebtedness to the United States Government of \$2,550.77 for the following: Debt is due to leave you took from 06/07/2024 to 08/31/2024 resulting in a negative leave balance of 4.5 day(s) which includes a non-accrual of 0.5 day(s). You are not entitled to pay and allowances during periods of negative leave.

On 22 December 2025, Master Military Pay Account (MMPA) listed the following (Leave):
ENTRY-OPEN-DT 240607 08 06 1 ENTRY-CLSD-DT 240903 06 09 1 ACTN 02 DEPART 240607
RTRN 240831 AUTH-NR HR00133 TYPE P ACCT-TYPE 8 DAYS-COUNT 086 AREA 1
ENTRY-OPEN-CLOSD A ACCT-TYPE-CHG-1 240820 ACCT-TYPE-CHG-2 240827.

ENTRY-OPEN-DT 240216 16 02 2 ENTRY-CLSD-DT 240216 16 02 2 ACTN 03 DEPART 240212
RTRN 240216 AUTH-NR BS02634 TYPE A ACCT-TYPE 1 DAYS-COUNT 005 AREA 1
ENTRY-OPEN-CLOSD A.

ENTRY-OPEN-DT 240105 04 01 1 ENTRY-CLSD-DT 240105 04 01 1 ACTN 03 DEPART 231227
RTRN 240103 AUTH-NR BS02604 TYPE A ACCT-TYPE 1 DAYS-COUNT 008 AREA 1
ENTRY-OPEN-CLOSD A.

On 22 December 2025, MMPA listed the following (Leave Balance): ENTRY-OPEN-DT 240920 19
09 2 ENTRY-CLSD-DT 240920 19 09 2 ACTN V2 START 231001 STOP 240831 BF-PRIOR-FY
66.5 ERND-FY 27.5 USED-FY 099 BAL-CM -5.5 NOT-ACRD-FY 1.0 LOST-DAYS-CFY 000
XCS-FY 005 LOST 2.0 SETLMNT 4 EFF-DATE-LAST-TRANS 240831.

You requested reimbursement of erroneous debt you paid that you owed for leave taken while you were on terminal leave. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that your special leave accrual was not taken into consideration during your terminal leave. However, the Board concluded that the protected SLA refers how many days in excess of 60 days that may be carried over to a future fiscal year; these days are not *in addition* to current leave balance. The Board determined your terminal leave taken matches your MMPA, therefore your debt was correct. In this connection, the Board substantially concurred with the comments contained in the aforementioned advisory opinion.

If you believe this debt to be unjust, you may submit a Waiver/Remission of Indebtedness Application (DD Form 2789) to the Chief of Naval Operations (OPNAV N130C) to the organizational mailbox at NXAG_N130C@navy.mil.

In the absence of sufficient new evidence for reconsideration, the decision of the Board is final, and your only recourse would be to seek relief, at no cost to the Board, from a court of appropriate jurisdiction.

Sincerely,

1/14/2026

