

MILPERSMAN 7220-340

LUMP-SUM PAYMENT FOR ACCRUED LEAVE

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References	(a) DoD 7000.14-R, DOD Financial Management Regulations, Volume 7A, Military Pay Policy - Active Duty and Reserve Pay (b) 10 U.S.C.
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1. Policy

a. Each Service member in the Navy on active duty (ACDU) is entitled to a lump-sum payment of accrued leave on the date of

- (1) death,
- (2) discharge,
- (3) release from ACDU, or

(4) on the date preceding the effective date of a first extension of enlistment.

b. **The 60-Day Limit:** Generally, Service members may not sell back more than 60 days of accrued leave during a military career.

c. **Modification for Enlisted Service Members.** Enlisted Service members may sell a portion of accrued leave and carry forward the remainder to a new enlistment or first extension. The combination of elections may exceed 60 days. Additionally, an enlisted Service member who would lose accumulated leave in excess of 120 days earned, per MILPERSMAN 1050-070, may elect to be paid in cash or check from the Treasurer of the United States for any leave in excess of up to 30 days of such leave. This

election may be made at any time during the year when the Service member's leave accrued is in excess of 120 days. A Service member may elect to execute this option only once.

d. Detailed instructions concerning the lump-sum payment for accrued leave are contained in reference (a), chapter 35.

2. **Payment to Survivors.** Payment may be made to survivors of deceased Service members in the order of precedence of designated or non-designated beneficiaries per reference (a), with the exceptions identified in Table 1-1.

3. **Exceptions to the 60-Day Career Leave Payment Limitation.** Unused leave accrued specifically under the following conditions is additional to the Service member's career leave payment limitation of 60 days. Such unused excepted leave may be carried forward into a new contract period of ACDC and later be eligible for payment in addition to other leave to which the 60-day career ceiling applies.

a. **Contingency Operations.** The 60-day leave payment limitation does not apply with respect to leave accrued by a Service member of a Reserve Component or in the Retired Reserve, or by a retired Service member, or a Service member of the Fleet Reserve during any period while the Service member is also

(1) serving on ACDC in support of a contingency operation on or after 5 December 1991, or

(2) serving on ACDC in connection with the Persian Gulf conflict (other than for training) under authority in reference (b), sections 672, 688, 12302, 12304, 12306, or 12307, on or after 2 August 1990.

b. **ACDC of 31 to 365 Days.** The 60-day leave payment limitation does not apply to leave accrued by a Service member of a Reserve Component while serving on ACDC, full-time National Guard duty, or ACDC for training during a period of more than 30 days, but not in excess of 365 days, beginning on or after 1 October 2001.

c. **Death on ACDC.** The 60-day leave payment limitation does not apply to leave accrued by a Service member who dies while on ACDC or a Service member or former Service member who dies after retirement or discharge, but before receiving payment of accrued leave. Payment of accrued leave for a deceased Service member

is based upon the unused accrued leave that he or she carried forward into the leave year in which deceased, plus the unused leave that accrued during that leave year, beginning on or after 10 February 1996.

4. **Reserve Component.** Sailors who desire to carry over leave must sign NAVPERS 1070/613 documenting desire for leave carry-over prior to the end of each ACDU period. NAVPERS 1070/613 must be received and signed as witnessed by the supported command, Service member's assigned Reserve Component activity, or the servicing personnel support detachment prior to the completion of each ACDU period. NAVPERS 1070/613 may be accessed by using the following Web address:
<http://www.public.navy.mil/bupers-npc/reference/forms/NAVPERS/Pages/default.aspx>.

a. All modifications, back-to-back orders, and active periods overlapping fiscal years are considered as separate ACDU periods, and a declaration for leave earned must be submitted via a NAVPERS 1070/613 prior to the end of each ACDU period individually. This includes all ACDU for training, definite or temporary recalls, mobilization, and ACDU for special work.

b. Failure to make an election or non-receipt of the NAVPERS 1070/613 by the servicing personnel detachment prior to the end of any ACDU period(s) will result in lump-sum payment for accrued leave.

c. ACDU orders will not be extended to accommodate leave.

5. **When Lump-Sum Leave is Not Authorized.** There is no entitlement to payment for accrued leave under the following situations involving:

WHEN NO ENTITLEMENT TO LUMP-SUM LEAVE EXISTS	
TABLE 1-1	
OFFICERS OR ENLISTED SERVICE MEMBERS	
(1)	Service members of the Navy Reserve released to ACDU for the purpose of reporting for ACDU the following day in the same or in another status.
(2)	Service members discharged under other than honorable conditions.
(3)	Service members on training duty with pay for periods of less than 30 consecutive days.
(4)	Service members on training duty without pay.

OFFICERS ONLY	
(1)	An officer retires, immediately reenters on ACDU or separated on a day other than the end of the specified period of ACDU for the purpose of reentering on ACDU in any status within any uniformed Service.
(2)	Officers of the Regular Navy or Navy Reserve transferring to another branch of Service, or the Reserve Components thereof.
ENLISTED SERVICE MEMBERS ONLY	
(1)	Service members discharged for fraudulent enlistment.
(2)	Service members released from duty because of void enlistment or void induction.
(3)	Service members discharged before completing 6 months ACDU and separation is for unsatisfactory performance or misconduct.
(4)	Service members discharged for the purpose of accepting a commission or warrant.
(5)	Service members discharged more than 3 months prior to the normal date of expiration of their enlistment for the purpose of enlistment or reenlistment.
(6)	Service members retired and continued on ACDU after retirement, or are recalled to ACDU service.
(7)	Service members transferred to the Fleet Reserve and continued on ACDU after transfer without a break in ACDU service.
MIDSHIPMEN/STUDENTS	
(1)	Midshipmen discharged from the Naval Academy or elsewhere.
(2)	Students of the Navy Reserve Officers Training Corps.
SURVIVORS OF SERVICE MEMBERS WHO WERE PUT TO DEATH AS LAWFUL PUNISHMENT FOR A CRIME OR MILITARY OFFENSE	