



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

LCC  
Docket No. 622-12  
12 Mar 12

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

Subj: REVIEW OF NAVAL RECORD ICO  
[REDACTED]

Ref: (a) Title 10 U.S.C. 1552  
(b) JFTR Volume 1

Encl: (1) DD Form 149 w/attachments  
(2) CNO memo 7220 Ser N130C3/12U0073, 30 Jan 12  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a) Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show Petitioner was entitled to Basic Allowance for Housing at the Single Rate.

2. The Board, consisting of Messrs. George, Pfeiffer, and Zsalman, reviewed Petitioner's allegations of error and injustice on 27 February 2012 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, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Per reference (b), paragraph U10400-E4, "two Uniformed Service members married to each other, without dependents, in grade E-5 and/or below and each is simultaneously assigned to permanent sea duty, on or after 1 October 2003, are each authorized BAH or OHA at the without-dependent rate applicable for their appropriate grades".

c. From the date of marriage 8 August 2008 to date of separation 9 May 2009, member was stationed on the USS Underwood while his spouse was stationed on the USS Stennis and both were in paygrade E-4.

b. In correspondence 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 injustice warranting the following corrective action.

RECOMMENDATION:

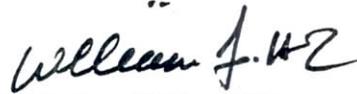
That Petitioner's naval record be corrected, where appropriate, to show that:

a. Petitioner was authorized payment of BAH at the single rate for the period 8 August 2008 to 9 May 2009.

b. A copy of this Report of Proceedings will be filed in Petitioner's naval record.

4. It is certified that 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.

ROBERT D. ZSALMAN  
Recorder

  
WILLIAM J. HESS, III  
Acting Recorder

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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

12 March 2012

  
W. DEAN PFEIFFER  
Executive Director