



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

█
Docket No. 178-21
Ref: Signature Date

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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 9 November 2021. 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 Commander, Navy Pay and Personnel Support Center (NPPSC) memorandum 5400 of 23 March 2021; a copy of which was previously provided to you for comment.

On 6 April 2017, you were issued BUPERS Mobilization Order 0967 for 401 days. On 29 September 2017, you reported and departed the Navy Operational Support Center (NOSC) Phoenix. On 2 October 2017, you reported to █. On 7 October 2017, you reported to █. On 24 October 2017, you detached █. On 25 October 2017, you reported to █. On 3 November 2017, you detached █. On 4 November 2017, you reported to █. On 18 January 2019, you were released from active duty and transferred to the Navy Reserve. On 30 April 2019, you were transferred to the Retired Reserve awaiting pay at age 60.

You requested to receive basic allowance for housing (BAH) and basic allowance for substance (BAS) for Mobilization Order NE-1756-0027 for July through September 2017. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that you completed monthly drills with your reserve unit from 8 July through 17 September 2017 before executing your mobilization orders. The Board found that your BAH entitlements started correctly from 29 September 2017

through 18 January 2019. Your basic pay and BAS started on 24 July 2017 and stopped on 18 January 2019. The Board agreed with your assertion that your entitlements were started due to no fault of your own; however, does not agree that you were entitled to basic pay or BAS since you were not on active duty. The Board found no error or injustice to warrant a change to your record. 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,

12/3/2021

[REDACTED]

Deputy Director

[REDACTED]