

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

> Docket No. 4983-21 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 4 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.

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.

You requested Basic Allowance for Housing (BAH) correction for your dependent while serving on an unaccompanied tour with for the Board in its review of your entire record and application carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded on 11 February 2019 you were issued BUPERS Order 0429 (Official Change Duty Orders) for accompanied tour to prevent reporting for duty during October 2019. On 1 April 2019 you signed NAVPERS 1070/613 indicating you fully understood the contents of MILPERSMAN 1300-308 and desire to make election of an accompanied tour or unaccompanied tour within 90 days after you report to your new duty station. There is no evidence that a signed NAVPERS 1070/613 election of an unaccompanied tour in your service record. Overseas Housing Allowance (OHA) at the accompanied rate was paid from 8 November 2019 through 10 February 2021 (day prior to dependents birthday). OHA at the unaccompanied rate was paid from 11 February 2021 through 22 September 2021. No modification of BUPERS Order 0429 was issued therefore you remained on an accompanied tour to The reason for the change of your projected return date (PRD) and issuance of BUPERS Order 0961 (Official change duty orders) on 6 April 2021 could not be determined if it was due to the needs of the service or your request in 2021.

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.

	12/16/2021
Deputy Director	
Deputy Director	

Sincerely,