



Subj: REVIEW OF NAVAL RECORD OF FORMER ██████████  
██████████

e. On 18 December 2020, Petitioner transferred from ██████████, and arrived to ██████████  
██████████ for duty under instruction.

f. On 12 January 2022, Petitioner was issued official separation orders (BUPERS order: 0122) while  
at ██████████. On 14 July 2021, Petitioner was authorized BAH at the with-dependent rate for  
██████████ effective 11 June 2021.

g. On 14 January 2022, Petitioner was discharged under honorable conditions (General) due to  
Misconduct – Drug Abuse.

h. On 24 January 2022, Petitioner was charged leave from 6 January 2022 to 13 January 2022 (8  
days). Furthermore, on 3 February 2022 Petitioner received 18 days lump-sum leave payment.

## CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of  
references (b)<sup>1</sup> – (c)<sup>2</sup>, and enclosure (2)<sup>3</sup>, the Board finds the existence of an injustice warranting the  
following partial corrective action. The Board concluded that Petitioner was authorized to enlist in the  
Navy while unmarried and having sole and legal custody of an unmarried, minor dependent, therefore  
Petitioner was authorized BAH at the with dependent rate from the date she entered active duty.  
Furthermore, because Petitioner was in the accession pipeline and her dependent was not authorized to  
accompany her, she was entitled to FSA-R. However, the Board concluded that Petitioner’s meal  
deductions were appropriate due to her status in the accession pipeline.

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<sup>1</sup> In accordance with reference (b), unmarried applicants with physical custody of minor dependents must: Be approved by  
Navy Recruiting Command (NAVCRUITCOM) prior to enlistment. Complete a Family Care Certificate and Family Care Plan  
arrangements per OPNAVINST 1 740.4E. Applicants must be briefed and understand their dependents may not accompany them  
until after they have completed their initial training pipeline (i.e. boot camp, Class "A" school, etc.). Present a court or child  
support order, which clearly indicates who has physical custody of the child. The order must be from the state where the child  
resides.

<sup>2</sup> In accordance with reference (c), a Service member on Active Duty entitled to basic pay is authorized a housing allowance  
based on his or her grade, rank, location, and whether he or she has any dependents. A housing allowance at the with-dependent  
rate is authorized effective the date the Service member provides proper certification. A Service member may claim a dependent  
child, adopted child, stepchild, or out of wedlock child, for housing allowance purposes. The Service member is authorized a  
housing allowance if the Service member contributes to the dependent’s support and that support is at least equal to the  
applicable BAH-Diff. This includes a Service member authorized BAH-Diff and a Service member assigned to single-type  
Government quarters when the child is in the physical custody of another person.

Military members are not entitled to BAS of any type under the following conditions: When undergoing Basic Military Training,  
including initial officer training (Officer Candidate School, Officer Training School), except when the member has continuous  
prior enlisted service (active or reserve). Members will be subsisted-in-kind while attending initial basic military training.  
Mandatory pay account collection may be required in the following situations: Accession Pipeline Military Training.

FSA is payable to members with dependents. FSA is payable in addition to any other allowance or per diem, to which a member  
may be entitled. The member, however, may not receive more than one payment of FSA for the same period, even though  
qualified for FSA - Restricted (FSA-R), FSA - Ship (FSA-S), and FSA - Temporary (FSA-T). FSA is payable to a member  
serving in any grade as a member with dependents. The member must meet all general requirements and one of the following  
conditions: FSA-R. The member’s dependents, including dependents acquired after the effective date of Permanent Change of  
Station orders (see Table 27-1 (FSA Commencement Dates), rules 8 and 9), do not live in the vicinity of the member’s  
homeport/PDS, and their transportation to or near the PDS is not authorized at government expense.

<sup>3</sup> 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 partial favorable action.

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[REDACTED]

RECOMMENDATION

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

Petitioner was authorized BAH at the with-dependent rate for [REDACTED] vice [REDACTED] effective 8 July 2020 to 14 January 2022.

Petitioner was authorized FSA effective 8 July 2020 to 13 January 2022. Note: Defense Finance & Accounting Service (DFAS) will complete an audit of Petitioner's records to determine if Petitioner is due any back pay and allowances.

That part of the Petitioner's request for corrective action that exceeds the foregoing be denied.

That no further changes be made to Petitioner's naval record.

That a copy of this report of proceedings be filed in Petitioner's naval record.

4. It is certified that a 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.

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

5/23/2022

[REDACTED]

Deputy Director

[REDACTED]