



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

[REDACTED]
Docket No. 2240-22
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED], USN, XXX-XX-[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) DoD 7000.14-R Chap 26
(c) NAVADMIN 101/10

Encl: (1) DD Form 149 w/attachments
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that her naval record be corrected to establish Petitioner's Basic Allowance for Housing (BAH) based upon her previous duty station under the provisions of close proximity per references (b) and (c).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 26 May 2022 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, relevant portions of Petitioner's naval record, 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, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 28 July 2021 Petitioner joined for duty with [REDACTED]. Petitioner receiving BAH member married to member (Single Rate) for permanent duty station (PDS) zip code [REDACTED]. Petitioner's residence is located in [REDACTED].

b. On 18 January 2022 Petitioner issued BUPERS Order 0182 (Official Change of Duty Orders) detach during January 2022 with estimated date of arrival (EDA) 1 February 2022 to [REDACTED]. Petitioner authorized travel via unit's homeport to assist with transportation of dependents and/or HHG pickup personal items or personally drive her POV from homeport.

c. On 26 January 2022 Petitioner submit BAH under the provisions of Close Proximity request with the gaining command's Commanding Officer approval on 27 January 2022.

d. On 1 February 2022 Petitioner transferred to and joined by [REDACTED]. BAH at new PDS zip code [REDACTED] effective this date.

e. On 19 May 2022 Petitioner's dependents residence is still reflected in [REDACTED].

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board determined the Petitioner had approval of BAH under provisions of a close proximity move prior to execution of transfer as required by reference (c), however, did not have removal of household goods (HHG) funding from her orders prior to the execution of transfer as also required by reference (c). The Board concluded even though the appropriate modification of BUPERS Order removal of HHG funding has not occurred the current evidence reflects the Petitioner has not relocated from her previous residence location before or after execution of transfer and both old PDS and new PDS are within close proximity parameters required in reference (b), warranting relief.

RECOMMENDATION

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

On 31 January 2022 Petitioner issued BUPERS Order 0182 (Orders modification) removing HHG/Dependents transportation and travel funding.

Effective 1 February 2022 upon joining Petitioner PDS zip code [REDACTED], Petitioner's BAH continued at the old PDS zip code [REDACTED].

Note: If Petitioner moves from established residence after issue date of orders, regardless of whether or not the Petitioner moves at personal expense, there is no authorization for BAH based on the previous PDS per reference (c).

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.

6/9/2022

[REDACTED]

Deputy Director

Signed by: [REDACTED]