



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

[REDACTED]  
Docket No. 3813-22  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN RET,  
[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552  
(b) MILPERSMAN 1746-020

Encl: (1) DD Form 149 w/attachments  
(2) Advisory Opinion by OCNO (N130C), 24 Jun 22  
(3) 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 his naval record be corrected to show Petitioner was reimbursed \$3,523.86 for erroneous meal deductions.

2. The Board, consisting of [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 28 July 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 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. On 16 September 2008, Petitioner was advanced to CTI1/E-6.

c. In accordance with reference (b), enlisted service members assigned to duty where a Government mess is operated may, under certain conditions, be authorized to mess separately (RATSSEP) and be paid a basic allowance for subsistence.

d. On 14 March 2016, Petitioner was issued official change duty orders (BUPERS order: 0746) while stationed in [REDACTED] with an effective date of departure of July 2016. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 5 August 2016 and a Projected Rotation Date of August 2019.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN RET,  
[REDACTED]

e. On 5 August 2016, Petitioner arrived to [REDACTED] for duty.

f. In accordance with Petitioner's Leave and Earnings Statements (LES) beginning August 2016 and Master Military Pay Account (MMPA) effective 5 August 2016 Petitioner was authorized BAH at the without dependent rate for [REDACTED].

g. On 20 September 2018, [REDACTED] Intelligence, Surveillance and Reconnaissance Wing notified [REDACTED] via memo that Petitioner never used a meal card at [REDACTED].

h. On 27 September 2019, Petitioner transferred, and arrived to [REDACTED] for duty.

i. Petitioner was released from active duty and transferred to the Fleet Reserve with an Honorable character of service and was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 20 July 2001 to 31 July 2021 upon having sufficient service for retirement.

j. On 21 April 2022, Docket No: 6904-21 was published and approved the following: Petitioner was reimbursed for meal deductions not yet credited from 1 August 2017 through 31 December 2018.

k. 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 partial favorable action. Petitioner arrived on 5 August 2016 for duty at [REDACTED] and was a member of the command for the entirety of the time period for which reimbursement of meal deductions is being requested. Petitioner provided a letter dated 20 September 2022 from the Food Service Officer at [REDACTED] stating he had never used a meal card at The [REDACTED] which is the government dining facility on base. Based on the newly provided LES', the total deductions between August 2016 and July 2017 were [REDACTED].

## 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 partial corrective action. The Board concluded that there is a possibility that all meal deductions taken were not reimbursed for the period of 5 August 2016 to 31 July 2017 and an audit of Petitioner's financial record should be conducted by DFAS to determine what is still owed to Petitioner.

## RECOMMENDATION

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN RET,  
[REDACTED]

Petitioner was reimbursed for meal deductions not yet credited from 5 August 2016 through 31 July 2017. Note: Defense Finance & Accounting Service (DFAS) will complete an audit of Petitioner's records to determine if Petitioner is due any back pay.

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.

8/11/2022

[REDACTED]  
Deputy Director  
[REDACTED]