

DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

LCC:ddj
Docket No: 1112-03
20 March 2003

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

Subj:
REVIEW OF NAVAL RECORD

Ref: (a) Title 10 U.S.C. 1552

End: (1) DD Form 149 w/attachments
(2) SECNAVINST 4650. 19B of 12 November 1987
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show entitled to Basic Allowance for Housing (BAH) for designated location of dependents.

2. The Board, consisting of Messrs. Kim, McPartlin, and Nicholson, reviewed Petitioner's allegations of error and injustice on 18 March 2003 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, naval records, 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. 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 favorable action.

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 corrective action.

RECOMMENDATION:

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

a. Petitioner was authorized BAH for designated location of dependents for the period 5 March 1995 through 27 October 1997. Address for dependents was XXXX and the monthly house payment was \$0000 per month. Petitioner was assigned to the [REDACTED] which was arduous sea duty.

b. BuPers order 0567 issued on 21 April 1997 which reassigned Petitioner to COMSUBRON 16 was modified to removed the citation. Petitioner was reassigned within the geographical area and Petitioner was not entitled to move dependents or ship household goods at government expense.

c. Petitioner was authorized BAH for designated location of dependents for the period 28 October 1997 through 13 March 1999. Address for dependents was XXX and the monthly house payment was \$0000.

d. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that 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.

ROBERT D. ZSALMAN

Recorder

G. L. ADAMS

Acting Recorder

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

20 March 2003

W. DEAN PFEIFFER
Executive Director