

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

LCC:lc
Docket No: 2683-04
13 May 2004

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

Subj: CS1(SW) USN, REVIEW OF NAVAL RECORD

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

End: (1) DD Form 149 w/attachments
(2) OPNAV memo, 7220 Ser N130C4/04U0277, 19 Apr 04
(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 [REDACTED], reviewed Petitioner's allegations of error and injustice on 11 May 2004 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. BuPers modified the order which reassigned Petitioner from the [REDACTED], homeported in [REDACTED] delete the funding citation. Petitioner was reassigned within the same geographical area and was not authorized shipment of household goods and travel of dependents at government expense.

b. Petitioner was authorized BAH for designated location of dependents effective 17 February 2004. Address for dependents is [REDACTED] and his house payment is [REDACTED] per month.

c. 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.

[REDACTED] N

[REDACTED]

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.

13 May 2004

[REDACTED]

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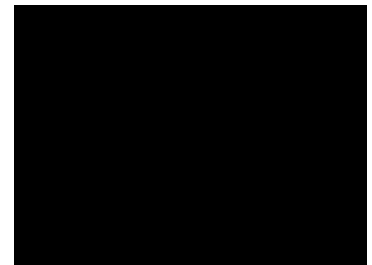
CS1(SW)

Dear :

This is in reference to your application for correction of your naval record submitted pursuant to the provisions of title 10 of the United States Code, section 1552.

The final decision in your case is set forth in the Board's report of proceedings, a copy of which is enclosed. The approved changes to your naval record will be made by the Chief of Naval Personnel (CNP). After CNP makes these changes the Defense Finance & Accounting Service (DFAS) will review your record and make payment of any money that you may be entitled to. Questions concerning money paid and/or the manner of computation should be directed to DFAS-DE/FYCC, 6760 E Irvington Place, Denver CO 80297-7000 or to your local disbursing officer. Also, you should immediately notify DFAS of any change in your mailing address.

Copy to:
DFAS w/o enclosures
CNP w/o enclosures



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To: Chief of Naval Personnel

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End: (1) Approved findings, conclusions and recommendations of BCN7R, less enclosures

1. In accordance with reference (a), the Board for Correction of Naval Records has reviewed allegations of error and injustice in the naval record of the subject.
2. The Regulations approved by the Secretary of the Navy, require that the naval record of subject to be corrected, where appropriate, in accordance with the approved recommendation of the Board as contained in enclosure (1).
3. By copy of this letter, the Defense Finance & Accounting Service, DFAS-DE/FYCC, is authorized to pay all monies lawfully found to be due as a result of the above correction to subject's naval record.
4. The Board has advised the Petitioner of the approved recommendation.
5. It is requested that this letter and enclosures be placed in the subject's official record, and that this Board be furnished a copy of any correspondence relating to this approved recommendation.

G.L. ADAMS
By direction

Copy to:
DFAS-DE/FYCC
BuPers (Pers 1031)