



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

[REDACTED]
Docket No. 7867-16

APR 10 2017

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

Subj: REVIEW OF NAVAL RECORD ICO

[REDACTED] USNR, [REDACTED]

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

Encl: (1) DD Form 149 w/attachments
(2) CNP memo 7220 Ser N130C2/17U0096 dtd 23 Jan 17
(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 receive entitlement for Basic Allowance for Housing (BAH).
2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 31 January 2017 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. Petitioner enlisted in the Naval Reserve on 5 June 2012 for 8 years. He entered active service for training via the Naval Reserve on 25 October 2012. He was released from active service on 27 March 2013.
 - c. The Joint Federal Travel Regulation, Volume 1, Section 9, U10416 (Member in transit) states the following: "A member without a dependent in the accession pipeline is authorized BAHT when in a travel, leave in route or proceed time status while transferring from the initial entry training location, between training locations and to the first PDS. For BAH authorization only (not locality rate), the training sites are defined as a PDS except for an RC member without a dependent. A member without a dependent is not authorized BAH (except BAH-Partial) while at the training locations since GOV'T QTRS are assigned at the PDS. Effective 1 February 2008, an RC member without a dependent attending accession training is authorized BAH based on the primary residence location at the time called/ordered to active duty if the member maintains a residence and continues to be responsible for rent, or owns the residence."

d. 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 without dependents rate BAH for the Military Housing Area [REDACTED] from 25 October 2012 to 27 March 2013. Note: Defense Finance and Accounting Service (DFAS) will complete an audit of Petitioner's records to determine if Petitioner is due any compensation.

b. A copy of this Report of Proceedings will be filed in Petitioner's naval record.

4. 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]
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.

[REDACTED]
Executive Director