



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

██████████
Docket No. 386-24
Ref: Signature Date

████████████████████
██████████
████████████████████

Dear ██████████,

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 30 July 2024. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies. In addition, the Board considered the advisory opinion contained in Office of the Chief of Naval Operations memorandum 7431 Ser N130C2/24U0174 of 21 February 2024, which was previously provided to you for comment.

You requested Basic Allowance for Housing (BAH) at the with dependent rate effective 8 November 2020, the Board in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that although Record of Emergency Data (DD Form 93) was updated on 2 February 2021 and listing the birth of your son and address, there is no documentation showing that you were providing support on his behalf. The notarized letter of paternity is insufficient to determine the amount of support you were providing for your son and there is no evidence of you completing a Dependency Application/Record of Emergency Data (NAVPERS 1070/602) listing support payments made. The Board could not find, nor did you provide other evidence of financial support such as dependents listed on your lease, copies of checks or bank statements showing payments of child support in a monthly amount equal to or greater than the BAH differential rate. Therefore, the Board determined that there is insufficient evidence to warrant a change to your record. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

8/5/2024

