



Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]

e. Petitioner was discharged with an Under Honorable Conditions (General) character of service and were issued a DD Form 214, Certificate of Release or Discharge from Active Duty for the period of 11 September 2019 to 30 March 2022 due to misconduct – drug abuse.

#### 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 on 26 November 2021, Petitioner got married in [REDACTED] and his spouse's address was listed as [REDACTED]. Petitioner's record contains NAVPERS 1070/602 which was updated due to marriage and noted the entitlement to BAH due to his marriage to a civilian spouse, effective 16 December 2021. However, no evidence was found within Petitioner's MMPA that he received BAH. The Board determined that Petitioner was entitled to BAH at the with dependent rate from the date of marriage until discharged on 30 March 2022, based on his Permanent Duty Station. However, the Board denied Petitioner's request to receive BAH at spouse's location based on never requesting BAH during his time in service, in accordance with reference (b).<sup>1</sup> Therefore, only partial relief is warranted.

#### RECOMMENDATION

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

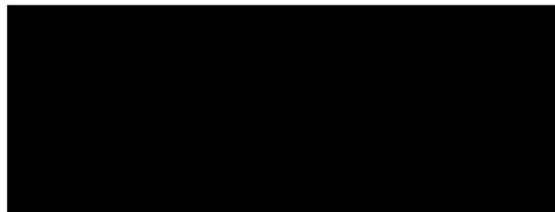
Petitioner was authorized BAH at the with-dependents rate for [REDACTED] from 26 November 2021 to 30 March 2022. Note: The Defense Finance & Accounting Service will complete an audit of Petitioner's records to determine amounts due, if any.

A copy of this report of proceedings will 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 titled 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.

9/21/2024



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<sup>1</sup> When the Service member is assigned to a Permanent Duty Station (PDS) in the Continental United States (CONUS), the housing allowance is authorized based on the PDS. The Service member may request through the Secretarial Process a housing allowance based on the dependent's residence location instead. Table 26-20 specifies the changes in housing allowance when a Service member acquires a dependent while assigned in the CONUS.