

DEPARTMENT OF THE NAVY

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

> Docket No. 5119-24 Ref: Signature Date

with an effective date

Dear ,

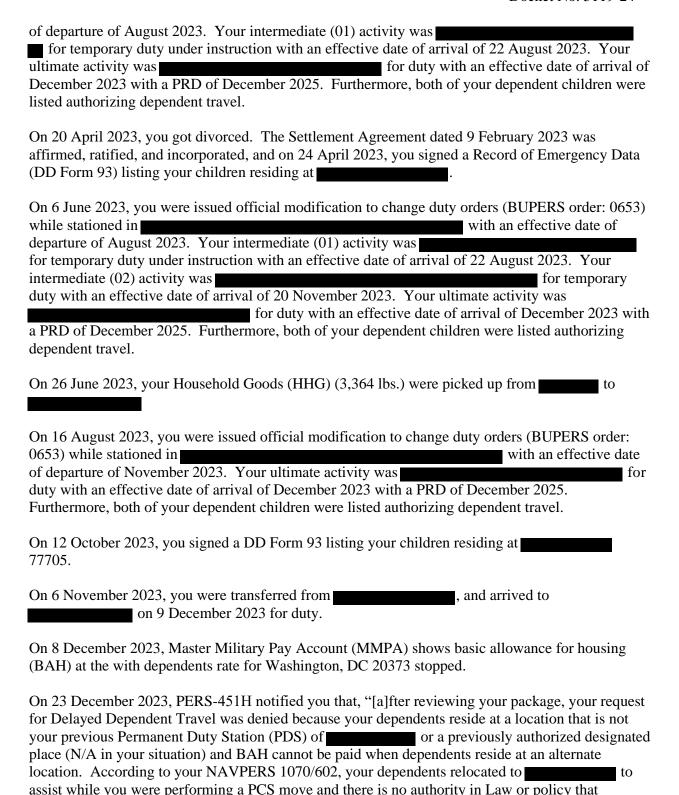
This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found 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 21 May 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.

On 31 August 2018, you were married. On 9 February 2023, you and your spouse signed a Separation Agreement. Both partied agreed that joint legal custody is in the best interest of the children. Both parties agree that the children will reside primarily with you.

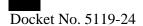
On 6 March 2023, you were issued official change duty orders (BUPERS order: 0653) while
stationed in with an effective date of departure
of August 2023. Your intermediate (01) activity was for
temporary duty under instruction with an effective date of arrival of 22 August 2023.
Your ultimate activity was for duty with an effective date of
arrival of December 2023 with a projected rotation date (PRD) of December 2025.
On 16 March 2023, you were issued official modification to change duty orders (BUPERS order:
0653) while stationed in with an effective date
of departure of August 2023. Your intermediate (01) activity was
for temporary duty under instruction with an effective date of arrival of 22 August 2023. Your
ultimate activity was for duty with an effective date of arrival or
December 2023 with a PRD of December 2025. Furthermore, both of your dependent children were
listed authorizing dependent travel.
On 28 March 2023, you were issued official modification to change duty orders (BUPERS order:

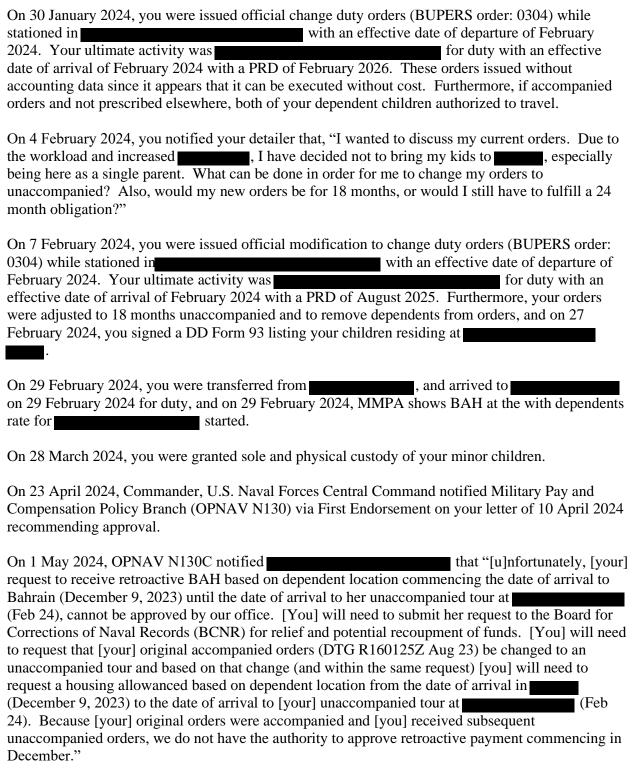
0653) while stationed in



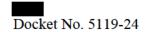
On 27 December 2023, PERS-451H notified you that, "[t]here is no entitlement to BAH at dependent location, because that location is not the PDS or a previously authorized designated place."

authorizes a housing allowance at location outside of your PDS."





You requested to change your BUPERS order: 0653 issued 16 August 2023 from accompanied to unaccompanied to receive back pay for BAH. 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 in accordance with MILPERSMAN 1300-308, requests for adjustments of



overseas tours must be submitted to the Service member's detailer. After orders are executed, tours may not be shortened to change from accompanied to unaccompanied, unless travel by dependents and HHG movement has not yet occurred. On 26 June 2023, your HHG were picked up for shipment from to orders from Arlington. On 6 November 2023, you executed orders which were accompanied orders from Arlington, VA to Bahrain. Although your dependents did not travel, your HHG were shipped. Furthermore, you provided no evidence that you requested an unaccompanied tour until you informed your detailer on 4 February 2024 that you decided not to bring your children from Texas to Bahrain. The Board determined that even though you executed your original accompanied orders and shipped HHG, your request for an unaccompanied tour was granted and you were ultimately issued unaccompanied orders for 18 months. Therefore, the Board determined that no further relief is warranted.

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.

