



**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

██████████  
██████████  
██████████

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 parties 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 of 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 ██████████ 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 PRD of December 2025. Furthermore, both of your dependent children were listed authorizing dependent travel.

On 20 April 2023, you got divorced. The Settlement Agreement dated 9 February 2023 was affirmed, ratified, and incorporated, and on 24 April 2023, you signed a Record of Emergency Data (DD Form 93) listing your children residing at ██████████.

On 6 June 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 intermediate (02) activity was ██████████ ██████████ for temporary duty with an effective date of arrival of 20 November 2023. Your ultimate activity was ██████████ ██████████ for duty with an effective date of arrival of December 2023 with a PRD of December 2025. Furthermore, both of your dependent children were listed authorizing dependent travel.

On 26 June 2023, your Household Goods (HHG) (3,364 lbs.) were picked up from ██████████ to ██████████.

On 16 August 2023, you were issued official modification to change duty orders (BUPERS order: 0653) while stationed in ██████████ with an effective date of departure of November 2023. Your ultimate activity was ██████████ ██████████ for duty with an effective date of arrival of December 2023 with a PRD of December 2025. Furthermore, both of your dependent children were listed authorizing dependent travel.

On 12 October 2023, you signed a DD Form 93 listing your children residing at ██████████ 77705.

On 6 November 2023, you were transferred from ██████████, and arrived to ██████████ on 9 December 2023 for duty.

On 8 December 2023, Master Military Pay Account (MMPA) shows basic allowance for housing (BAH) at the with dependents rate for Washington, DC 20373 stopped.

On 23 December 2023, PERS-451H notified you that, “[a]fter reviewing your package, your request for Delayed Dependent Travel was denied because your dependents reside at a location that is not your previous Permanent Duty Station (PDS) of ██████████ or a previously authorized designated place (N/A in your situation) and BAH cannot be paid when dependents reside at an alternate location. According to your NAVPERS 1070/602, your dependents relocated to ██████████ to assist while you were performing a PCS move and there is no authority in Law or policy that authorizes a housing allowance at location outside of your PDS.”

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.”

On 30 January 2024, you were issued official change duty orders (BUPERS order: 0304) while stationed in ██████████ with an effective date of departure of February 2024. Your ultimate activity was ██████████ for duty with an effective date of arrival of February 2024 with a PRD of February 2026. These orders issued without accounting data since it appears that it can be executed without cost. Furthermore, if accompanied orders and not prescribed elsewhere, both of your dependent children authorized to travel.

On 4 February 2024, you notified your detailer that, "I wanted to discuss my current orders. Due to the workload and increased ██████████, I have decided not to bring my kids to ██████████, especially being here as a single parent. What can be done in order for me to change my orders to unaccompanied? Also, would my new orders be for 18 months, or would I still have to fulfill a 24 month obligation?"

On 7 February 2024, you were issued official modification to change duty orders (BUPERS order: 0304) while stationed in ██████████ with an effective date of departure of February 2024. Your ultimate activity was ██████████ for duty with an effective date of arrival of February 2024 with a PRD of August 2025. Furthermore, your orders were adjusted to 18 months unaccompanied and to remove dependents from orders, and on 27 February 2024, you signed a DD Form 93 listing your children residing at ██████████ ██████████.

On 29 February 2024, you were transferred from ██████████, and arrived to ██████████ on 29 February 2024 for duty, and on 29 February 2024, MMPA shows BAH at the with dependents rate for ██████████ started.

On 28 March 2024, you were granted sole and physical custody of your minor children.

On 23 April 2024, Commander, U.S. Naval Forces Central Command notified Military Pay and Compensation Policy Branch (OPNAV N130) via First Endorsement on your letter of 10 April 2024 recommending approval.

On 1 May 2024, OPNAV N130C notified ██████████ that "[u]nfortunately, [your] request to receive retroactive BAH based on dependent location commencing the date of arrival to Bahrain (December 9, 2023) until the date of arrival to her unaccompanied tour at ██████████ (Feb 24), cannot be approved by our office. [You] will need to submit her request to the Board for Corrections of Naval Records (BCNR) for relief and potential recoupment of funds. [You] will need to request that [your] original accompanied orders (DTG R160125Z Aug 23) be changed to an unaccompanied tour and based on that change (and within the same request) [you] will need to request a housing allowed based on dependent location from the date of arrival in ██████████ (December 9, 2023) to the date of arrival to [your] unaccompanied tour at ██████████ (Feb 24). Because [your] original orders were accompanied and [you] received subsequent unaccompanied orders, we do not have the authority to approve retroactive payment commencing in December."

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

