



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

██████████
Docket No. 584-25
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 3 June 2025. 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 N130C2/25U0201 of 2 April 2025, which was previously provided to you for comment.

On 5 October 2012, your dependent child ██████████ was born.

In accordance with DoD 7000.14R Financial Management Regulation, Volume A, Chapter 26, "BAH/OHA 10.5.2.1. Applicability. The following RC members are authorized BAH [Basic Allowance for Housing] or OHA [Overseas Housing Allowance]: 10.5.2.1.1. A member called or ordered to AD [Active Duty] in support of a contingency operation for a time period of any duration. 10.5.2.1.2. A member called or ordered to AD for 31 or more days, except a Service member without a dependent during initial entry training. 10.5.2.1.3. A member initially on a tour of 30 or fewer days who receives an order modification, assignment extension, or additional consecutive orders with a prospective, new active-duty period of 31 or more days ("extension")."

"AD [Reserve Component] for Other Than Training or Active Duty for Training (ADT) for 31 or More Days. An RC member called or ordered to AD for other than training for a period lasting between 31 and 180 days is authorized BAH or OHA based on the primary residence beginning on the first day of AD. This rate continues for the tour duration except as otherwise specified in this chapter...ADT for 140 or More Days and Authorized HHG [Household Goods] Transportation. BAH or OHA based on the primary residence starts at the time RC member is

called or ordered to AD for training for 140 or more days and is authorized HHG transportation for a PCS [Permanent Change of Station] and continues through the day before arrival at the PDS. BAH or OHA based on the PDS [Permanent Duty Station] location begins on the day the RC member reports at that location. The Service member is authorized BAH or OHA in the same manner as a Service member already on AD.

AD Other Than Training for 181 or More Days and Authorized HHG Transportation. BAH or OHA based on the primary residence starts at the time an RC member is called or ordered to AD for other than training for 181 or more days and authorized HHG transportation for a PCS and continues through the day before arrival at the PDS. BAH or OHA based on the PDS location begins on the day the RC member reports at that location. The member is authorized BAH or OHA in the same manner as a Service member already on AD...Called or Ordered to ADT for 140 or More Days but Not Authorized HHG Transportation. Except as provided in subparagraphs 10.5.3.8 and 10.5.3.11, an RC member who is not authorized HHG transportation for a PCS (e.g., when duty is not performed for 140 or more days at one location) receives BAH or OHA based on the primary residence at the time called or ordered to AD.”

On 4 May 2020, you were issued Official Active Duty for Special Work Orders with the following address: “█, CT 06483.” Furthermore, “[p]er reference (a), you are hereby ordered to report for active duty for special work under the authority of Title 10 USC section 12301 (d) and IAW references (b) through (e). Period of duty: 11 May 20 to 30 Sep 20 depart place from which called (or ordered) to active duty (PLEAD) NET 11 May 20.” “Per Diem: Member is eligible for travel and Per Diem. Gaining command will issue DTS orders to cover all Per Diem, rental car, and travel associated with this order.”

Your Master Military Pay Account (MMPA) shows the following (BAH): “ENTRY-OPEN-DT 200611 11 06 2 ENTRY-CLSD-DT 210101 99 01 1 CNTRL-CODE 2 ACTN Z4 START 200511 STOP 201231 ENTLMT-MM 0.00 ENTLMT 0.00 ENTLMT-NM 0.00 MNTLY-RATE 1,607.70 ACCOM 1 ZIP-CODE 06349 RENT 9,999.00 SHARE-NR 1 RENT-STAT R PRCNTGE .00 PROTECTED-RATE 0.00 CLOST-DEPN.” █

On 19 May 2020, you signed a Record of Emergency Data (DD Form 93) listing your dependent child address as █

On 18 August 2020, you were issued Official Active Duty for Operational Support Orders with the following address: “. █.” Furthermore, “[p]er reference (a), you are hereby ordered to report for active duty for special work under the authority of title 10 USC section 12301 (d) and IAW references (b) through (e). period of duty: 01 Oct 20 to 30 Sep 21 depart place from which called (or ordered) to active duty (PLEAD) NET 01 Oct 20,” “PCS: Member is authorized PCS, this is a back-to-back order,” and “[b]y executing these orders you are acknowledging that you understand and accept the entitlements associated with the orders (whether PCS, TDY etc.), based upon order type, length and location of duty. You should contact your servicing PSD before executing these orders if you have any question as to entitlements. Once executed, orders will not be modified for the sole purpose of gaining or losing an entitlement.”

On 16 February 2021, you were issued Order Modification to Change Detach Date from 30 September 21 to 14 March 21.

On 3 March 2021, you were issued Official Recall to Active Duty Orders with the following address: "...██████████ Furthermore, "[y]ou are hereby ordered to report for voluntary temporary recall under the authority of title 10 USC section 12301 (d) and IAW reference a. The term of these orders is 24 months and ends Mar 2023." Report NET 26 March 2021 and NLT 29 March 2021 to ██████████ "PSD and NOSC advised that these are fully funded PCS orders."

On 16 February 2023, you were issued Official Active Duty for Operational Support Orders with the following address: "...██████████ Furthermore, "[p]er reference (a), you are hereby ordered to report for active duty for operational support under the authority of title 10 USC section 12301 (d) and IAW references (b) through (e). Period of duty: 16 Mar 23 to 30 Sep 23 depart place from which called (or ordered) to active duty (PLEAD) NET 16 Mar 23." Ultimate Activity: ██████████ Finally, "PCS: Member is authorized PCS...for PCS orders greater than 180 days, movement of dependents and shipment of HHG is authorized to CONUS locations only."

On 27 February 2023, Deputy Chief of Naval Operations, N1 notified ██████████ that "[g]ood news; after consulting the Pay & Entitlement Policy folks at OPNAV N13 and PERS-451H we're able to ORDMOD HM2 to remove the HHGs entitlement, thus triggering BAH for his primary Residence."

On 27 February 2023, you were issued Official Active Duty for Special Work Orders with the following address: "...██████████ Furthermore, "Member not authorized HHG move. PSD advised member is eligible to receive BAH rate at dependent location of ...██████████ Finally, "[p]er reference (a), you are hereby ordered to report for Active Duty For Operational Support under the authority of title 10 USC section 12301 (d) and IAW references (b) through (e). Period of duty: 16 Mar 23 to 30 Sep 23 depart place from which called (or ordered) to active duty (PLEAD) NET 16 Mar 23."

Your Master Military Pay Account (MMPA) shows the following (BAH): "ENTRY-OPEN-DT 230317 17 03 2 ENTRY-CLSD-DT 231010 11 10 2 CNTRL-CODE 2 ACTN G2 START 230316 STOP 230930 ENTLMT-MM 1,388.85 ENTLMT 0.00 ENTLMT-NM 0.00 MNTLY-RATE 2,777.70 ██████████ 9,999.00 SHARE-NR 1 RENT-STAT R PRCNTGE .00 PROTECTED-RATE 0.00 CLOST-DEPN." ██████████

On 21 September 2023, you were issued Official Active Duty for Operational Support Orders with the following address: ██████████ Furthermore, "[p]er reference (a), you are hereby ordered to report for active duty for operational support under the authority of title 10 USC section 12301 (d) and IAW references (b) through (e). Period of duty: 01 Oct 23 to 30 Sep 24 depart place from which called (or ordered) to active duty (PLEAD) NET 01 Oct 23." Finally, "PCS: Member is authorized PCS."

On 10 October 2023, you were issued Active Duty for Special Work Mod with the following address: "...██████████ Furthermore, "[m]odified to amend end date to 31 Mar 24. Performing back to back orders. Pay account remains open. Changed end date to 2024.03.31."

On 6 December 2023, you were issued Active Duty for Special Work Mod with the following address: ██████████. Furthermore, “[o]rder modified to amend end date from to 30 Sep 24. Changed end date back to 2024.09.30.”

On 1 February 2024, you were issued Active Duty for Special Work Mod with the following address: “...██████████. Furthermore, “[o]rder modified to amend end date from 30 Sep 24 to 29 Feb 24. End date changed to 2024.02.29.”

You requested to receive BAH for ██████████ from 11 May 2020 through 15 March 2023. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert per DODFMR, an RC member called to Active Duty for more than 180 days is authorized BAH at primary residence location if not executing a HHG move. However, the Board agreed that each set of orders executed within the specified period were appropriately written as PCS orders due to their duration and authorized HHG transportation. Therefore, in accordance with DODFMR, “BAH or OHA based on the primary residence starts at the time an RC member is called or ordered to AD for other than training for 181 or more days and authorized HHG transportation for a PCS and continues through the day before arrival at the PDS. BAH or OHA based on the PDS location begins on the day the RC member reports at that location.” On 18 August 2020, Official Active Duty for Operational Support Orders stated that, “[y]ou should contact your servicing PSD before executing these orders if you have any question as to entitlements. Once executed, orders will not be modified for the sole purpose of gaining or losing an entitlement.” The Board determined that it was your choice to execute orders, remain at your residence, and commute to the PDS daily. Therefore, the Board agreed that your BAH was ran correctly for ██████████ for the period of 11 May 2020 through 15 March 2023 and that a change to your record is not 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.

Sincerely,

6/9/2025

