



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 22204

██████████
Docket No. 4521-25
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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 25 November 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 7220 Ser N130C4/25U0264 of 30 April 2025, which was previously provided to you for comment.

In accordance with DoD 7000.14-R FMR Volume 7A, Chapter 27, Family Separation Allowance (FSA) is payable to a member serving in any grade as a member with dependents. The member must meet all general requirements and one of the following conditions: 2.3.1.1. FSA-Restricted (FSA-R). 2.3.1.1.1. The members' dependents, including dependents acquired after the effective date of permanent change of station (PCS) orders (see Table 27-1 (FSA Commencement Dates), rules 8 and 9), do not live in the vicinity of the member's homeport/permanent duty station (PDS), and their transportation to or near the PDS is not authorized at government expense (see paragraph 4.1).

4.1.3. Overseas Assignments. Dependents are permitted in some areas overseas and not permitted in others (dependent-restricted areas). A member selected for PCS overseas to an area where his or her dependents are permitted must elect to serve either an unaccompanied or an accompanied tour. 4.1.3.1. Except as waived by the Secretary of the Military

Department concerned, a member electing to serve an unaccompanied tour, in lieu of an accompanied tour at a PDS where his or her dependents are permitted, is not entitled to FSA-R for such a tour. A member who is in receipt of accompanied tour orders, and subsequently requests to serve an unaccompanied tour, to include a dependents-restricted tour, in lieu of an accompanied tour at a PDS where his or her dependents are permitted, is not entitled to FSA-R for such a tour. Secretarial waiver of this policy may be granted in situations where it would be inequitable to deny FSA-R to a member because of the unusual family or operational circumstances.

On 3 February 2020, you were issued official change duty orders (BUPERS order: 0340), with required obligated service to September 2022, while stationed in ██████████ with an effective date of departure of August 2020. Your ultimate activity was ██████████ for duty with an effective date of arrival of 30 September 2020 with a projected rotation date (PRD) of September 2022. Furthermore, “[t]his transfer funded for member and auth dependents as reflected on service record page two and other supporting documents... Member advised: For members electing an OCONUS unaccompanied tour (see DOD Unaccompanied Tour Length, JTR Appendix Q), OCONUS Dependent Restricted Tour, or OCONUS Unusually Arduous Sea Duty Assignment and request a designated place for dependents. The OCONUS CO can authorize the designated place (and BAH) for those dependents remaining in CONUS, IAW OPNAV POLICY MEMO dated 29 JUL 2010... If accompanied orders and not prescribed elsewhere, these dependents can travel: ██████████ SPOUSE Female ██████████

On 12 August 2020, you were issued official modification to change duty orders (BUPERS order: 0340), while stationed in ██████████ with an effective date of departure of November 2020. Your ultimate activity was ██████████ for duty with an effective date of arrival of 15 December 2020 with a PRD of December 2022. Furthermore, “[t]his transfer funded for member and auth dependents as reflected on service record page two and other supporting documents... Member advised: For members electing an OCONUS unaccompanied tour (see DOD Unaccompanied Tour Length, JTR Appendix Q), OCONUS Dependent Restricted Tour, or OCONUS Unusually Arduous Sea Duty Assignment and request a designated place for dependents... If accompanied orders and not prescribed elsewhere, these dependents can travel: ██████████ SPOUSE Female ██████████

On 20 November 2020, you transferred from ██████████ and arrived at ██████████ on 1 March 2021 for duty.

On 12 February 2021, you were issued a Certificate of Non-Availability, Navy Base ██████████, certifying that there was no on-base lodging available. Furthermore, the following was listed: “██████████ has reserved lodging at the ██████████ on 02/14/2021 for 15 night(s) at an average rate of \$159.00 per night.”

On 14 February 2021, Department of Public Health and Social Services issued you a Voluntary Quarantine Letter listing the following: “I have determined that your voluntary quarantine is

necessary for the preservation and protection of the public health. This determination is based on the following information: Your recent travel history.”

On 3 March 2021, ██████████ issued document with the following remarks: “Member is GEOBACHELOR w/ dependents stateside. (Shore Duty) Member is currently staying out in town. Stamped orders and Page 2 and Page 13 are attached CNA is required.” Signed by the Unaccompanied Housing Manager.

On 9 January 2022, Master Military Pay Account (MMPA) listed the following (Leave):
ENTRY-OPEN-DT 210303 08 03 1 ENTRY-CLSD-DT 210303 08 03 1 ACTN 03 DEPART
201120 RTRN 210207 AUTH-NR ZZ80650 TYPE I ACCT-TYPE 6 DAYS-COUNT 080 AREA
1 ENTRY-OPEN-CLOSD A ACCT-TYPE-CHG-1 210202.

On 2 November 2022, you/witness signed Dependency Application (NAVPERS 1070/602) listing your spouse residing at ██████████ with a date of marriage of 18 December 2005.

On 18 December 2022, you transferred from ██████████ and arrived at ██████████
██████████ on 3 January 2023 for duty.

You requested to receive FSA-R due to being separated from your family for the duration of your tour. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that, “[m]ember was informed by a previous detailee in early 2020 prior to the member's transfer from ██████████ ██████████ to ██████████ stating that the orders were to be unaccompanied (per the JTR). Since the member did not relocate his spouse, per this information, and as reflected on PCS orders, member should be paid FSA for the time he was away from his family during the length of his tour.” However, the Board concluded that on 3 February 2020, you were issued orders 0340 from ██████████ to ██████████ ██████████ and were authorized dependent travel. In accordance with DoD 7000.14-R FMR, “[a] member selected for PCS overseas to an area where his or her dependents are permitted must elect to serve either an unaccompanied or an accompanied tour... a member electing to serve an unaccompanied tour, in lieu of an accompanied tour at a PDS where his or her dependents are permitted, is not entitled to FSA-R for such a tour.” The Board determined that although your orders were written for 2 years, you were selected for PCS overseas to an area where your dependent was permitted, therefore you were required to elect to serve the tour either accompanied or unaccompanied. If you had elected to serve the tour accompanied and were denied, you may have been eligible for FSA. However, you chose to serve your tour unaccompanied, therefore you are ineligible for FSA for the length of the tour. The Board thus concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief. In this connection, the Board substantially concurred with the comments contained in the aforementioned 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,

12/3/2025

[REDACTED]

Deputy Director

Signed by: [REDACTED]