



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

LCC  
Docket No. 563-12  
12 Mar 12

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy  
Subj: REVIEW OF NAVAL RECORD ICO  
[REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments  
(2) CNO memo 7220 Ser N130C3/12U0083, 1 Feb 12  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a) Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show Petitioner is entitled to Basic Allowance for Housing (BAH) and Cost of Living Allowance (COLA) for San Clemente, Island.

2. The Board, consisting of Messrs. George, Pfeiffer, and Zs Salman, reviewed Petitioner's allegations of error and injustice on 27 February 2012 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request for BAH should be effective 21 June 2004, date of the memorandum authorizing BAH for San Clemente, Island.

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 corrective action.

RECOMMENDATION:

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

a. Petitioner is authorized BAH and COLA for San Clemente Island, Zip Code 90704 for the period 21 June 2004, date of the memorandum authorizing BAH for San Clemente, Island, to 16 November 2006, his date of detachment.

b. That so much of Petitioner's request as exceeds the foregoing be denied for the reasons stated in enclosure 2. In particular, the memorandum authorizing BAH and COLA for San Clemente Island was signed on 21 June 2004 and payment of BAH and COLA was not authorized prior to that date.

c. A copy of this Report of Proceedings will be filed in Petitioner's naval record.

4. It is certified that 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 entitled matter.



WILLIAM J. HESS, III  
Acting Recorder

ROBERT D. ZSALMAN  
Recorder

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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

12 March 2012



For W. DEAN PFEIFFER  
Executive Director