



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

██████████  
Docket No. 2192-23  
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO ██████████ ██████████, USNR,  
██████████

Ref: (a) Title 10 U.S.C. § 1552  
(b) DoD 7000.14-R FMR Volume 7A, Chapter 67

Encl: (1) DD Form 149 w/attachments  
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to show Petitioner received Cost of Living Allowance (COLA) in the Continental United States (CONUS), with dependents, for ██████████ from 5 August 2021 to 31 December 2021 in the amount of \$294.00.

2. The Board, consisting of ██████████ and ██████████ reviewed Petitioner's allegations of error and injustice on 11 May 2023 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, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies.

3. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. On 24 March 2021, Petitioner was issued official change duty orders (BUPERS order: 0831) while stationed at ██████████ with an effective date of departure of July 2021. Petitioner's ultimate activity was ██████████ ██████████ for duty with an effective date of arrival of August 2021, with a Projected Rotation Date of August 2024.

b. On 31 July 2021, Petitioner transferred from ██████████ and arrived to ██████████ ██████████ on 5 August 2021 for duty. On 5 August 2021, Petitioner's basic allowance for housing (BAH) at the with dependents rate for ██████████ started.

c. On 1 October 2022, Petitioner transferred from ██████████, and arrived to ██████████ ██████████ on 1 October 2022 for duty.

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[REDACTED]

## CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of reference (b)<sup>1</sup> and enclosure (2), the Board finds the existence of an injustice warranting the following partial corrective action. The Board concluded that Petitioner was eligible to receive CONUS COLA based on the Permanent Duty Station (PDS) beginning on the day Petitioner reported to the new PDS, however, the Board does not determine the final amount to be paid, warranting partial relief.

## RECOMMENDATION

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

Petitioner was authorized CONUS COLA with dependents for [REDACTED] from 5 August 2021 to 31 December 2021.

Note: Defense Finance and Accounting Service (DFAS) will complete an audit of Petitioner's records to determine if Petitioner is due any back pay.

That part of the Petitioner's request for corrective action that exceeds the foregoing be denied.

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

4. It is certified that a 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.

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

5/15/2023

[REDACTED]  
Deputy Director  
[REDACTED]

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<sup>1</sup> Reference (b), a Service member is with a dependent if he or she is authorized the BAH or would be authorized BAH at the with-dependent rate if Government quarters were not occupied. CONUS COLA rates are based on the Service member's PDS, his or her home port, a designated place, or the primary dependent's location when authorized or approved through the Secretarial Process or authorized in this chapter. The CONUS COLA rate paid to the Service member does not change when the Service member is on leave. CONUS COLA based on the PDS begins on the day the Service member reports to the new PDS and ends the day before reporting to the next PDS.