



DEPARTMENT OF THE AIR FORCE  
WASHINGTON, DC

24 JUL 1998


Office of the Assistant Secretary

AFBCMR 97-02785

MEMORANDUM FOR THE CHIEF OF STAFF

Having received and considered the recommendation of the Air Force Board for Correction of Military Records and under the authority of Section 1552, Title 10, United States Code (70A Stat 116), it is directed that:

The pertinent military records of the Department of the Air Force relating to [REDACTED] be corrected to show that on **30** June 1994, he applied for a remission of his indebtedness incurred as a result of excess weight of household goods and his application was partially approved by competent authority in the amount of \$781.25.

  
JOE G. LINEBERGER  
Director  
Air Force Review Boards Agency

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 97-02785

[REDACTED]  
[REDACTED]  
COUNSEL: NONE

HEARING DESIRED: NO

24 JUL 1998

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APPLICANT REQUESTS THAT:

The remaining balance of \$1,308.74 debt, resulting from an overweight shipment of his household goods (HHG) at the time of his retirement, be deleted. The total debt was \$1562.49.

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APPLICANT CONTENDS THAT:

The movers underestimated the weight of his household goods and he did not receive his 50 pounds of unaccompanied baggage for professional books and papers. Applicant states that it took three years to notify him of the debt and, since retirement, he is not financially able to pay.

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STATEMENT OF FACTS:

The relevant facts pertaining to this application, extracted from the applicant's military records, are contained in the letter prepared by the appropriate office of the Air Force Office of Primary Responsibility (OPR). Accordingly, there is no need to recite these facts in this Record of Proceedings.

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AIR FORCE EVALUATION:

The Chief, Claims Branch, Directorate of Debt and Claims Management, DFAS-DE/FYCC, states that since they are unable to take action to administratively provide the relief sought, they contacted the Waivers and Remission Branch (DFAS-DE/FYCT) for their recommendation. They were informed that had they received the applicant's remission request prior to his separation, they would have recommended remission of \$781.25 and denial of \$781.24 based on guidelines set forth by the Office of the Secretary of the Air Force. Based on the evidence, they find there has been an error or injustice. They recommend the applicant's records be corrected to show that the application for remission was received

and processed prior to the applicant's separation and partial remission was granted.

A copy of the DFAS-DE/FYCC evaluation is attached at Exhibit C.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 19 January 1998 for review and response within 30 days. As of this date, no response has been received by this office.

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THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Sufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice warranting partial relief. It appears that had applicant been aware of the excess weight prior to his separation, he could have submitted a request for remission. DFAS states that had the application been received prior to his retirement, the recommendation would have been for remission of \$781.25 of the debt. In view of the length of time it took the Air Force to notify the applicant of this debt and in an effort to remove any possibility of an injustice to the applicant, we agree with the DFAS recommendation. Applicant's request for full remission of his debt is not favorably considered in view of the fact that only partial remission would have been approved had his request been submitted prior to his retirement. Therefore, we recommend his records be corrected to the extent indicated below.

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THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT, be corrected to show that on 30 June 1994, he applied for a remission of indebtedness incurred as a result of excess weight of his household goods and his application received partial remission in the amount of \$781.25 by competent authority.

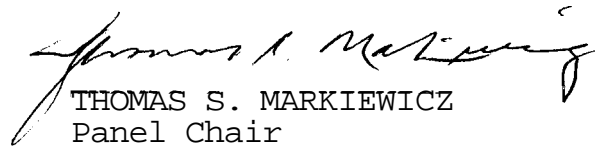
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The following members of the Board considered this application in Executive Session on 11 June 1998, under the provisions of AFI 36-2603:

Mr. Thomas S. Markiewicz, Panel Chair  
Mr. Robert W. Zook, Member  
Ms. Olga M. Crerar, Member

All members voted to correct the records, as recommended. The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 16 Sep 97, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, DFAS-DE/FYCC, dated 30 Dec 97.
- Exhibit D. Letter, AFBCMR, dated 19 Jan 98.

  
THOMAS S. MARKIEWICZ  
Panel Chair



DEFENSE FINANCE AND ACCOUNTING SERVICE  
DENVER CENTER  
6760 E. IRVINGTON PLACE  
DENVER, COLORADO 80279

DFAS-DE/FYCC

DEC 30 1997

MEMORANDUM FOR AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS  
ATTN: AFBCMR

SUBJECT: Application for Correction of Military Records

We examined the attached application for correction of military records for [REDACTED] count Number [REDACTED]. Since we are unable to take action to administratively provide the relief sought, we are forwarding it for your consideration.

The applicant is requesting his military records be corrected to show his application for remission of a \$1,562.49 household goods debt was received and processed prior to his separation on July 1, 1994. The applicant is asking for remission consideration for excess weight shipping costs incurred as a result of exceeding the authorized weight allowance. The applicant has filed a timely request.

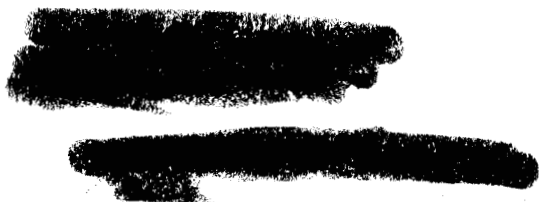
We contacted the Waivers and Remission Branch (DFAS-DE/FYCT) for their recommendation. They informed us that had they received the applicant's remission request prior to his separation, they would have recommended remission of \$781.25 and denial of \$781.24 based on guidelines set forth by the Office of the Secretary of the Air Force. Based on the evidence before us, we find there has been an error or injustice. We recommend the applicant's records be corrected to show that the application for remission was received and processed prior to the applicant's separation and remission of \$781.25 was granted and \$781.24 was denied.

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Our address is DFAS-DE/FYCC, 6760 East Irvington Place,  
Denver, Colorado 80279-7100. Our point of contact is Delynn  
Orlosky and she may be reached at DSN 926-4793, or commercial  
(303) 676-4793.

*||SIGNED||*

Diana E. Settelmeyer  
Chief, Claims Branch  
Directorate of Debt and Claims  
Management



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