



RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 98-00697

COUNSEL: None

HEARING DESIRED: No

APPLICANT REQUESTS:

Reimbursement of travel costs and restored charged leave for a trip from King and S AFB, TX to his household goods (HHGs) to overseas owned vehicle (POV) incident to a change of assignment.

APPLICANT CONTENDS THAT:

He was issued orders to move from [redacted] to [redacted] with en route training at [redacted] AFB, [redacted]. As this [redacted] within Europe, his HHGs were packed for short distance move and his automobile was placed in storage in Europe. While at [redacted] AFB, his orders changed [redacted] to [redacted] AFB. Once at [redacted], he was told he was not authorized to return to Europe to complete necessary actions to ship his goods to his new duty station. He went on leave and returned to Europe to complete [redacted] actions at his own expense.

Applicant's complete submission is attached at Exhibit A.

STATEMENT OF FACTS:

The relevant facts pertaining to this application, extracted from the applicant's military records, are contained in the letters prepared by the appropriate offices of the Air Force. Accordingly, there is no need to recite these facts in this Record of Proceedings.

AIR FORCE EVALUATION:

The Assignment Advisor, AFPC/DPAIP1, reviewed this application and indicated that the applicant asked the Traffic Management

Office (TMO) officials at Barksdale AFB if he would be authorized to [redacted] to Germany in a temporary duty (TDY) status to complete necessary actions to ship his POV and HHGs to his new duty station ([redacted] AFB). He was advised that he would not be authorized TDY entitlements for the purpose of overseeing the preparation of [redacted] HHGs and POV for shipment to his current duty station (Barksdale AFB). TI43 personnel advised that it was [redacted] responsibility to prepare a member's HHGs/POV for shipment and were confident the system could accomplish and competently handle the task. They advised that TMO is frequently required to ship HHGs/POVs for deceased personnel of all services and in addition the same services are accomplished for hospitalized [redacted] on a regular basis without [redacted] assistance of a sponsor at the shipping point. When the applicant was advised of the assignment change he was advised by the TMO of his options:

(1) He [redacted] personally make arrangements at his own expense to get his POV to [redacted] for shipment.

(2) His commander or next higher [redacted] commander since Kalkar is closed, could designate to get the POV to [redacted].

The applicant did not [redacted] to the [redacted] and contended that it is the assignment system that caused this problem and should fix it by authorizing him to proceed at government expense back overseas to oversee shipment of his HHGs and his POV. DPA/PI indicated that since there are no provisions in the Joint Federal Travel Regulation (JFTR) that allows a member to be placed in TDY status for the purpose of personally overseeing the preparation of HHGs/POV for shipment, they recommend disapproval of applicant's request for TDY entitlements.

A complete copy of the Air Force evaluation is attached at Exhibit B.

The Chief, Legislation & Compensation Division, HQ USAF/DPRC, also reviewed this application and indicated that there are no provisions in the JFTR, Volume 1, which authorizes official travel under the applicant's circumstances. Therefore, he cannot be reimbursed for his travel costs and cannot have his leave restored.

A complete copy of their evaluation is attached at Exhibit C

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Applicant reviewed the Air Force evaluations and provided a three-page response (see Exhibit E).

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all [redacted] provided by existing law or regulations.
2. The application was timely filed.
3. Sufficient relevant evidence has [redacted] to demonstrate that the [redacted] of [redacted] error [redacted] injustice [redacted] changed to Barksdale AFB while he was in training at [redacted] AFB. We note that he questioned TMO officials if he would be authorized to [redacted] to Germany in a TDY status to complete necessary actions to ship his POV and HHGs to [redacted] new duty station ([redacted] AFB) and was advised that he would not be authorized [redacted] [redacted]. A majority of the Board believes that since his assignment was changed while he was in training, he [redacted] little control over the situation. [redacted] respect, the [redacted] was unable to return to Germany to personally release his HHGs/POV and properly identify all his belongings. His HHGs were not packed in the more common and more expensive [redacted]. In view of the foregoing, a majority of the Board believes that any doubt in this matter should be in favor of the applicant. While we recognize that [redacted] are no provisions in the JFTR that allow a member to be placed in a TDY status for the purpose of overseeing the preparation of HHGs/POV for shipment, a majority of the Board believes that the applicant has been the victim of an injustice in this case. Therefore, a majority of the Board recommends his records be corrected to the extent indicated below.

The pertinent military records of the Department of the Air Force

- a. He was on TDY status during the period 7 Feb 97 to 14 Feb 97.
- b. He is entitled to reimbursement of transportation costs from [redacted] AFB, [redacted] to [redacted], and from [redacted], [redacted], to [redacted] AFB, [redacted], not to exceed the cost to the government had he used government procured transportation.

The following members of the ~~Board~~ considered this application in ~~Executive Session~~ on 29 September 1998, ~~under~~ the provisions of AFI 36-2603:

Mr. Vaughn E. Schlunz, Panel Chair  
Mr. Richard A. Peterson, Member  
Mr. Patrick R. Wheeler, Member  
Mrs. Joyce Earley, Examiner (without vote)

By a majority vote, the Board voted to ~~correct the~~ records, as recommended. Mr. Wheeler abstained from voting. ~~The~~ following ~~documentary~~ evidence was considered:

- ~~Exhibit~~ A. DD Form 149, dated 3 Mar 98.
- Exhibit B. Letter, ~~AFPC~~ DPAIP1, dated 8 May 98.
- Exhibit ~~C~~ Letter, ~~HQ~~ USAF DPRC, dated 29 May 98.
- Exhibit D. Letter, ~~AFBCMR~~, dated 22 Jun 98.
- Exhibit E. Letter ~~to~~ ~~applicant~~, dated 13 Jul 98.

  
VAUGHN E. SCHLUNZ  
Panel Chair