



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

JUN 30 1998

Office of the Assistant Secretary

AFBCMR 98-00784

MEMORANDUM OF CONSIDERATION OF APPLICATION BEFORE THE AFBCMR

JE T. [REDACTED]

Having carefully reviewed this application, we agree with the recommendation of the Air Force Evaluation and adopt the rationale expressed as the basis for our decision that the applicant has been the victim of either an error or an injustice. Therefore, under the authority delegated in AFI 36-2603, the applicant's records will be corrected as set forth in the accompanying Memorandum for the Chief of Staff signed by the Executive Director of the Board or his designee.

A handwritten signature in cursive script, appearing to read "James A. McQuinn".

Panel Chair

Attachment:
Ltr, HQ USAF/DPPC, dtd 1 Apr 98



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MEMORANDUM FOR THE CHIEF OF STAFF

Under the authority of Section 1552, Title 10, United States Code, Air Force Instruction 36-2603, **and** having assured compliance with the provisions of the above regulation, the decision of the Air Force Board for Correction of Military Records is announced, and it is directed that:

The pertinent military records of the Department of the Air Force relating to [REDACTED] be corrected to show that he requested, **and** a competent authority approved, a Secretarial waiver authorizing payment of Family Separation Allowance, Type II (FSA-II) during his unaccompanied tour, from the date of his arrival at [REDACTED], in a permanent change of station (PCS) status, effective 7 March 1997.

A handwritten signature in cursive script that reads "Donna Pittenger".

DONNA PITTENGER
Chief Examiner
Air Force Board for Correction
of Military Records



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE
WASHINGTON, DC

01 APR 1998

MEMORANDUM FOR AFBCMR

FROM: HQ USAF/DPPC
1040 Air Force Pentagon
Washington DC 20330-1040

SUBJECT: Correction of Military Records- [REDACTED]

This Air Staff advisory is *submitted* in reference to subject application, dated 11 Mar 98. [REDACTED] was denied travel for his dependents during his assignment to [REDACTED] Iceland due to non-availability of medical facilities.

Title 37, U.S.C., Section 427 only authorizes FSA for members serving in dependent-restricted areas. A member who elects to serve an unaccompanied tour in lieu of an accompanied tour at a permanent station where the member's dependents are permitted is not entitled to FSA unless waived by the Service Secretary. The waiver authority is prospective only and is limited to situations in which it would be inequitable to deny the allowance to the member because of unusual family or operational circumstances. These circumstances are defined in Department of Defense Financial Management Regulation (DoDFMR), Volume 7A, paragraph 270301E as:

- 1) when certified medical reasons involving family members or terrorist activity would make it inappropriate for dependents to accompany the member;
- 2) when ships in overhaul make temporary homeport changes; or
- 3) when married military couples with children are involuntarily separated by military orders.

[REDACTED] met the conditions identified in item (1) above and was authorized FSA in a letter dated 9 Mar 98. However, because the waiver authority is prospective only, he could not be paid FSA for the period between 7 Mar 97 (his reporting date) and 8 Mar 98.

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We recommend approval of [redacted] request for payment of FSA from the date of arrival (7 Mar 97) at his permanent duty station to date of waiver approval (8 Mar 98). We recommend his record be changed to reflect the Secretarial waiver to receive FSA was granted and effective 7 Mar 97. Action officer is TSgt Hogue, DSN 227-0682.

VR-
Steven L. Tindell

STEVEN L. TINDELL, Col, USAF
Chief, Military Compensation & Legislation

Division
Directorate of Personnel Programs,
Education and Training