



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON, D.C. 20370-5100

LCC:ddj  
Docket No: 6075-00  
18 October 2000

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

Subj: QM2 [REDACTED] ISN, [REDACTED]  
REVIEW OF NAVAL RECORD

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

Encl: (1) DD Form 149 w/attachments  
(2) CNO memo 7220 SER N130C3/0U0479 of 14 Sep 00  
(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 that his indebtedness in the amount of \$8,856.44 was waived.
2. The Board, consisting of Mses. Hardbower, Newman, and Mr. Geisler, reviewed Petitioner's allegations of error and injustice on 17 October 2000 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 has merit and warrants favorable action.

#### 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. The document submitted by Petitioner's PSD to DFAS-Cleveland to start Petitioner's entitlement for Overseas Housing Allowance reflected that his sharer's rent was in the amount of "117,500" yen vice "235,000" yen.

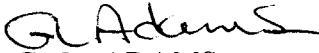
b. On 6 July 1994 Petitioner submitted a request for a waiver of indebtedness for the amount of \$2,995.00 and on 14 July 1994, the Waiver Board approved his request for waiver in the amount of \$2,995.00. The payment was erroneous and not the fault of the member. He did not know he was being overpaid and his disbursing officer had assured him his pay was correct.

c. On 8 November 1995 Petitioner submitted a request for waiver of indebtedness for the amount of \$5,861.44 and on 28 December 1995 the Waiver Board approved his request in the amount of \$5,861.44. The payment was erroneous and not the fault of the member. The Petitioner did not know he was being overpaid and his disbursing officer had assured him his pay was correct.

d. That a copy of this Report of Proceedings be filed in Petitioner's naval record.


4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) 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.

ROBERT D. ZSALMAN  
Recorder

  
G. L. ADAMS  
Acting 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.

18 October 2000

  
W. DEAN PFEIFFER  
Executive Director