



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

LCC:ddj
Docket No: 4055-02
4 September 2002

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

[REDACTED]

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

Encl: (1) DD Form 149 w/attachments
(2) Series of Documents
(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 the orders assigning Petitioner to Temporary Duty under Instruction (TEMDUINST) to STU AHS FT S HOUSTON, Fort Sam Houston, TX were modified to authorized payment of per diem while in TEMDUINST status at Fort Sam Houston, TX..

2. The Board, consisting of Messrs. Brezna, Milner, and Neuschafer, reviewed Petitioner's allegations of error and injustice on 4 September 2002 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. After reviewing the correspondence attached as enclosure (2), the Board concluded 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. A request for authority to pay per diem for the period of TEMDUINST at Fort Sam Houston, TX was requested under the provisions of JFTR Volume 1, paragraph U7125-B3 and SECNAV approved the request prior to the Petitioner reporting to Fort Sam Houston, TX. BuPers orders 3089 were modified prior to reporting to STU AHS FT S HOUSTON for TEMDUINST to Fort Sam Houston, TX to authorize per diem for period of TEMDUINST at Fort Sam Houston, TX, 1 January 2000 through 30 March 2000. Government quarters were available; however, government dining facilities were not available.

(NOTE: Petitioner should go to the closest facility which can compute travel vouchers and ask them to compute monies due for this action. Petitioner must present to the Agency computing the money due a copy of all previous vouchers, if available, pertaining to the permanent change of station (PCS) and TEMDUINST, a copy of orders directing the PCS and TEMDUINST and a copy of this action. If previous vouchers are not available the Agency should be able to verify previous payments from the Petitioner's military pay account. **The agency making the computation will not make the actual payment.** Petitioner will then forward the computation of monies due, a copy of this letter and all other vouchers available and orders pertaining to the PCS and TEMDUINST to DFAS-DE/POCC, 6700 E. Irvington Place, Denver, CO 80279-7100.)

b. 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.

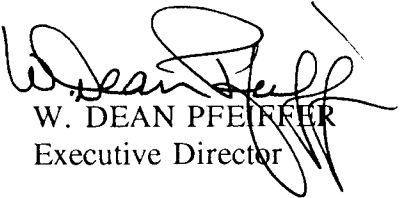
ROBERT D. ZSALMAN
Recorder


G. L. ADAMS
Acting Recorder

Docket No: 4055-02

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.

4 September 2002


W. DEAN PFEIFFER
Executive Director