



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

LCC:lc
Docket No: 8396-98
1 September 1999

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

REVIEW OF NAVAL RECORD

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

Encl: (1) DD Form 149 w/attachments
(2) CMC memorandum 1070 JAM4 of 5 August 1999
(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 he received permanent change of station (PCS) orders in December 1996 reassigning him from Camp Pendleton, CA to Camp Lejeune, NC.

2. The Board, consisting of Messrs. Frankfort, Lippolis, and Ms. Schnittman, reviewed Petitioner's allegations of error and injustice on 1 September 1999 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:

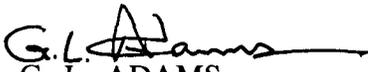
a. Petitioner received PCS orders dated 11 December 1996 reassigning him from 1st Force Service Support Group, MARFORPAC, Camp Pendleton, CA 92055-5606 to 10th Marine Regiment, 2nd MARDIV, U.S. Marine Corps Forces Atlantic, Camp Lejeune, NC 28542-0105, reporting no later than 24 December 1996. Petitioner was authorized Dislocation Allowance and the number of days travel as authorized in the Joint Federal Travel Regulations (JFTR) when traveling by privately owned vehicle (POV) or the number of days actually used which ever is less in traveling cross country. Petitioner was authorized the use of two (2) POVs in traveling cross country. Petitioner does not have any receipts for the move but he should be paid the PCS allowances authorized by the JFTR for a PCS move for himself and his dependents to include per diem for the days he was in a travel status. The PCS orders included the authorization for shipment of household goods from Camp Pendleton, CA to Camp Lejeune, NC. (For DFAS: Petitioner has previously received some payment for travel to his Home of Record (HOR) and his HHGs were shipped to Jacksonville, NC and Petitioner absorbed the difference in cost from his HOR to destination. He paid the cost of the difference in shipping the HHGs from Camp Pendleton, CA to Camp Lejeune, NC and must now be reimbursed for the difference in cost of moving the HHGs from his HOR to Jacksonville, NC. Petitioner is authorized and should be paid any entitlement authorized by the JFTR in a PCS move.

(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 pertaining to himself and his dependents and a copy of this letter. **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 a copy of all other vouchers pertaining to his travel from Camp Pendleton, CA to DFAS-DE/FYCC, 6760 E. Irving 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. 8396-98

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.

9 September 1999



W. DEAN PFEIFFER
Executive Director