

JUL 20 1998

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 97-03816

COUNSEL: NONE

HEARING DESIRED: NO

Applicant requests that he be paid variable housing allowance (VHA) and basic allowance for quarters (BAQ) at the London, Kentucky, rates rather than the Maxwell Air Force Base, Alabama, rates where he is stationed. Applicant's submission is at Exhibit A.

On 21 November 1996, the AFBCMR favorably considered applicant's request that the Enlisted Performance Report (EPR) closing 24 January 1994 be removed from his records and that a reaccomplished report be substituted in its place. The Board further recommended that the applicant be provided supplemental promotion consideration to the grade of senior master sergeant for all cycles for which the contested report was a matter of record. (Exhibit C)

The applicant was provided supplemental consideration for promotion and was selected for promotion to the grade of senior master sergeant. He was subsequently reinstated on active duty in the higher grade. (Exhibit C)

The appropriate Air Force office evaluated applicant's request and provided an advisory opinion to the Board recommending the application be denied (Exhibit D). The advisory opinion was forwarded to the applicant for review and response (Exhibit E). As of this date, no response has been received by this office.

After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of error or injustice to warrant corrective action. The facts and opinions stated in the advisory opinion appear to be based on the evidence of record and have not been rebutted by applicant. Absent persuasive evidence applicant was denied rights to which entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

Accordingly, applicant's request is denied.

The Board staff is directed to inform applicant of this decision. Applicant should also be informed that this decision is final and will only be reconsidered upon the presentation of new relevant evidence which was not reasonably available at the time the application was filed.

Members of the Board, Messrs. Thomas S. Markiewicz, Jackson A. Hauslein, and Michael P. Higgins, considered this application on 9 July 1998 in accordance with the provisions of Air Force Instruction 36-2603 and the governing statute, 10 U.S.C. 1552.



THOMAS S. MARKIEWICZ

Panel Chair

Exhibits:

- A. Applicant's DD Form 149
- B. Available Master Personnel Records
- C. ROP AFBCMR 95-02984, dtd 11 Feb 97;  
Memorandum for the Chief of Staff, dtd  
7 Oct 97
- D. Advisory Opinion
- E. SAF/MIBR Ltr Forwarding Advisory Opinion



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DFAS-DE/FYCC

MAR 19 1998

MEMORANDUM FOR AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS  
ATTN: AFBCMR

SUBJECT: Application for Correction of Military Records

We examined the application for correction of military records for Senior Master Sergeant [REDACTED] Account Number [REDACTED]. Since we are unable to take action to administratively provide the relief sought, we are forwarding it for your consideration.

The member is requesting variable housing allowance (VHA) and basic allowance for quarters (BAQ) at the London, Kentucky, rates rather than the Maxwell Air Force Base (AFB), Alabama, rate where he is stationed. The applicant has filed a timely request.

After the applicant reported to active duty, his VHA was paid at the Maxwell AFB rate (\$50.35 per month). There is no VHA authorized for Bronston, Kentucky, the location of his home. He did not live in London, Kentucky, to be authorized that rate. Since the date the member filed this application, he has sold the home in Bronston. The BAQ entitlement is not affected by the location of the member or his dependents.

VHA at a location other than the member's unit cannot be authorized by this office. We recommend denial of the member's request.

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Our address is DFAS-DE/FYCC, 6760 East Irvington Place,  
Denver, Colorado 80279-7100. Our point of contact is Charlotte  
Larson, and she may be reached at DSN 926-4864, or commercial  
(303) 676-4864.

  
Diana E. Settelmeyer  
Chief, Claims Branch  
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Management