



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

OCT 9 1998

Office of the Assistant Secretary

AFBCMR 98-00416

MEMORANDUM FOR THE CHIEF OF STAFF

Having received and considered the recommendation of the Air Force Board for Correction of Military Records and under the authority of Section 1552, Title 10, United States Code (70A Stat 116), it is directed that:

The pertinent military records of the Department of the Air Force relating to [REDACTED] be corrected to show that:

- a. He was in temporary duty (**TDY**) status on 29 October 1997, with entitlement to reimbursement for the purchase of a commercial airline ticket in the amount of [REDACTED]
- b. Ten (10) days of leave be added to his leave account commencing 1 October 1998.


JOE G. LINEBERGER
Director
Air Force Review Boards Agency

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

OCT 9 1998

IN THE MATTER OF:

DOCKET NUMBER: 98-00416

COUNSEL: No

HEARING DESIRED: No

~~APPLICANT REQUESTS THAT:~~

1. Eleven (11) days of leave be restored.
2. He be reimbursed \$761.38 for the airline ticket he had to purchase to get to his leave location.

~~APPLICANT CONTENDS THAT:~~

The reasons the applicant believes the records to be in error or unjust and the evidence submitted in support of the appeal are at Exhibit A.

~~STATEMENT OF FACTS:~~

The relevant facts pertaining to this application, extracted from the applicant's military records, are contained in the letter prepared by the appropriate office of the Air Force. Accordingly, there is no need to recite these facts in this Record of Proceedings.

AIR FORCE EVALUATION:

The Chief, Commanders' Programs Branch, HQ AFPC/DPSFC, states that after completing the temporary duty (TDY), the applicant had to wait for his passport needed to proceed to the overseas assignment. Applicant's unit amended the permanent change of station (PCS) orders to change the reporting date but did not add the authorization for the TDY to allow additional time for passport processing. The author recommends restoring 10 days of leave since Finance charged the applicant 10, not 11, days of leave.

A complete copy of the Air Force evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Applicant reviewed the evaluation and requests reimbursement of the airline ticket as well as the restoration of his leave. He feels this reimbursement is warranted since his taking leave and not remaining on TDY saved the Air Force a substantial amount of money. The delay in processing his passport was caused by the Air Force.

Under separate cover, applicant provided a copy of his credit card statement with a bill from United for a \$761.38 ticket purchased on 29 October 1997.

Applicant's complete responses, with attachments, are at Exhibit E.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Sufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice. In June 1997, the applicant applied for the passport needed for his impending overseas assignment. As his reporting date approached, he still had not received it and his PCS departure was delayed. The AFPC assignments policy office changed the applicant's PCS reporting date from 30 October 1997 to 10 November 1997 and authorized his orders to include TDY en route to allow additional time for passport processing. Unfortunately, although the reporting date of his PCS orders was amended, authorization for the TDY to allow additional time for passport processing was not added. This left the applicant in something of a quandary. Since his orders did not authorize TDY to cover the delay, he naturally was concerned as to whether his lodging and per diem costs for 13 additional days would ultimately be paid. Reluctantly, he purchased a commercial airline ticket on 29 October 1997 and took leave. While the Air Force is silent on whether the applicant should be reimbursed for personal expenses incurred as a result of this delay, they do recommend his lost leave be reinstated. The Air Force's rationale appears to be based on his PCS orders not being properly amended. By extending this logic, we believe the applicant's airline ticket should be treated as a TDY expense. In our view, the applicant coped as best he could with a situation not of his making. In fact, it appears the his option may have saved the Air Force money. Since the applicant has not

contested he lost 10, rather than 11, days of leave, we recommend that 10 days of leave be added to his leave account commencing 1 October 1998 and he be reimbursed for the cost of his commercial airline ticket. We would normally recommend adding the leave to his current leave account; however, considering the time remaining in this fiscal year, we believe it is only fair to have the leave added at the beginning of the next fiscal year.

~~THE BOARD RECOMMENDS THAT:~~

The pertinent military records of the Department of the Air Force relating to APPLICANT, be corrected to show that:

a. He was in temporary duty (TDY) status on 29 October 1997, with entitlement to reimbursement for the purchase of a commercial airline ticket in the amount of \$761.38

b. Ten (10) days of leave be added to his leave account commencing 1 October 1998.

The following members of the Board considered this application in Executive Session on 25 August 1998, under the provisions of AFI 36-2603:

Mrs. Barbara A. Westgate, Panel Chair
Ms. Olga M. Crerar, Member
Ms. Patricia D. Vestal, Member

All members voted to correct the records, as recommended. The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 1 Feb 98, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, HQ AFPC/DPSFC, dated 19 Mar 98.
- Exhibit D. Letter, AFBCMR, dated 30 Mar 98.
- Exhibit E. Letters, Applicant., dated 27 & 28 Apr 98.


BARBARA A. WESTGATE
Panel Chair



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

9 MAR 1998

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPSFC
550 C Street West, Ste 37
Randolph AFB TX 78150-4739

SUBJECT: Application for Correction of Military Records - [REDACTED]

Requested Action and Basis for Request. Reinstate 11 days of leave charged en route to overseas assignment. Applicant states this resulted due to a delay awaiting required passport.

Facts and Discussion. Applicant departed [REDACTED] AFB [REDACTED] for overseas assignment with TDY en route at [REDACTED]. He took 20 days leave after departing [REDACTED] AFB en route to [REDACTED]. After completing the TDY, he had to wait for his passport needed to proceed to the overseas assignment with a reporting date of 30 Oct 97. When applicant did his travel voucher, finance charged leave for 10 days, 30 Oct through 8 Nov 97. The AFPC assignments policy office, however, provided a copy of the message changing the reporting date from 30 Oct 97 to 10 Nov 97. The message also authorized amending applicant's PCS orders to include TDY en route to allow additional time for passport processing. Applicant's unit amended the PCS orders to change the reporting date but did not add the authorization for the TDY to allow additional time for passport processing. In this case, we support granting relief. However, finance charged 10 days not 11 days stated by the applicant.

Recommendation. Restore 10 days to current leave account.


WILLIAM F. NADOLSKI, Major, USAF
Chief, Commanders' Programs Branch

24 FEB 1998

MFR Gr SAF/MIBR

Reference: 

This should go to DPAIP1 to address applicant's TDY/assignment move without valid passport, resulting in charged leave awaiting the passport.

