

JUN 29 1998

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 97-03609

COUNSEL: None

HEARING DESIRED: No

APPLICANT REQUESTS THAT:

He be paid one month's basic pay.

APPLICANT CONTENDS THAT:

As a [REDACTED] evacuee, his advanced pay should be forgiven. Many evacuees who took an advance later received a waiver of one month's basic pay and did not have to repay the advance. This did not happen to him. He provides a message from DFAS-DE-FJY, which indicates he may be entitled to have the one-month's advanced pay forgiven.

Applicant's complete submission is attached at Exhibit A.

STATEMENT OF FACTS:

Following the eruption of [REDACTED] in June 1991, many Air Force members assigned to [REDACTED] Air Base suffered extensive financial and material losses. Members were offered advanced pay to help defray the cost of reconstituting their homes and belongings. Many members took advantage of the advanced pay with the understanding that they would have to repay the advance as a normal debt.

Subsequently, the Secretary of the Air Force approved a waiver equal to one month's basic pay for accompanied and unaccompanied Air Force members evacuated from [REDACTED] Base because of [REDACTED] and from [REDACTED] AFB because of [REDACTED]. This meant that those members taking the advanced pay did not have to repay one month's pay.

DFAS-DE/FYCC EVALUATION:

The Chief, Claims Branch, DFAS-DE/FYCC, evaluated this application and confirms that the applicant was stationed at [REDACTED] from 10 November 1989 through 9 June 1991. The evacuation from [REDACTED] occurred on 10 June 1991. The applicant was advanced \$1,080.00, one month of base pay, on 13 December 1991 while he was stationed at [REDACTED] B. They recommend denial.

A complete copy of the evaluation is at Exhibit B.

APPLICANT'S REVIEW OF DFAS-DE/FYCC EVALUATION:

A complete copy of the evaluation was forwarded to the applicant on 9 March 1998 for review and comment within 30 days. As of this date, no response has been received by this office.

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 probably error or injustice. We are aware that many members assigned to [REDACTED] during the [REDACTED] devastation received advanced pay and that the Secretary of the Air Force subsequently waived the repayment of one month's basic pay. The applicant suffered the same hardships as other [REDACTED] evacuees and, based on equity, an injustice has occurred because he did not receive advance pay. Accordingly, we are persuaded to grant one month's basic pay to the applicant.

THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT, be corrected to show that on 10 June 1991, he applied for and was authorized one month's advanced pay in the amount of \$1,080.00 by competent authority.

The following members of the Board considered this application in Executive Session under the provisions of AFI 36-2603:

Mr. Charles E. Bennett, Panel Chair
Mr. Douglas J. Heady, Member
Mr. Benedict A. Kausal IV, Member

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

- Exhibit A. DD Form 149, dated 1 Dec 97, w/atch.
- Exhibit B. Letter, DFAS-DE/FYCC, dated 13 Feb 98.
- Exhibit C. Letter, AFBCMR, dated 9 Mar 98.


CHARLES E. BENNETT
Panel Chair



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

JUN 29 1998

Office of the Assistant Secretary

AFBCMR 97-03609

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, on 10 June 1991, he applied for and was authorized one month's advanced pay in the amount of \$1,080.00 by competent authority.

A handwritten signature in cursive script, appearing to read "Joe G. Lineberger".

JOE G. LINEBERGER

Director
Air Force Review Boards Agency



DEFENSE FINANCE AND ACCOUNTING SERVICE
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6760 E. IRVINGTON PLACE
DENVER, COLORADO 80279

DFAS-DE/FYCC

FEB 13 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 [REDACTED]. Since we are unable to take action to administratively provide the relief sought, we are forwarding it for your consideration.

The applicant is requesting waiver of \$1,080.00, one month of base pay, that he received as an advance pay for evacuation from [REDACTED] (AFB) due to Operation Fiery Vigil. The applicant has not filed a timely request

The applicant was stationed at [REDACTED] from November 30, 1989 through June 9, 1991. The evacuation from [REDACTED] occurred on June 10, 1991. [REDACTED] received the advance pay on December 13, 1991 while stationed at [REDACTED].

Based on the evidence before us, we find there has not been an error or injustice. We recommend denial of the application.

Our address is DFAS-DE/FYCC, 6760 East Irvington Place, Denver, Colorado 80279-7100. Our point of contact is Judith Millspaugh and she may be reached at DSN 926-4790, or commercial (303) 676-4790.

Dana E. Settelmeyer
Chief, Claims Branch
Directorate of Debt and Claims
Management