RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2016-04760

 COUNSEL: NONE

 HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

He be reimbursed in the amount of $2,380.00 for personally procuring the storage of his privately owned vehicle (POV) for the duration of his OCONUS tour.

APPLICANT CONTENDS THAT:

He was entitled to store his vehicle and get reimbursed while stationed at Kadena Air Base Japan. Prior to PCSing from Kadena to RAF Mildenhall, United Kingdom, he was told by Transportation Management Office (TMO) personnel at Kadena he would be able to keep the entitlement for the duration of his tour at Mildenhall. Now, per regulation, he is required to ship his POV to his duty station at Mildenhall. Due to the miscounseling he acquired excess storage fees for 11 months, totaling $2,380.00.

The applicant’s complete submission, with attachments, is at Exhibit A.

STATEMENT OF FACTS:

The applicant served on active duty in the grade of colonel during the period of time of the matter under review.

Under Special Order AI-069082, dated 10 Apr 15, the applicant was reassigned on a permanent change of station (PCS) from Kadena AB, Japan, to RAF Mildenhall, UK.

The remaining relevant facts pertaining to this application are described in the memorandum prepared by the Air Force office of primary responsibility (OPR), which is included at Exhibit C.

AIR FORCE EVALUATION:

PPA HQ/PPE recommends granting the applicant’s request, indicating there is evidence of an error or injustice. The Personal Property Consignment Instruction Guide (PPCIG) Volume 2 advises shipment of one POV is authorized for Air Force personnel who serve a tour in the United Kingdom. Per the JTR, if authorization exists for a POV shipment, storage cannot be authorized. However, although the PPCIG clearly states a POV shipment is authorized for members assigned to the United Kingdom, the applicant’s PCS order only indicated he had a POV in storage and did not reflect authorization for shipment, which would have eliminated the authorization for further storage. In fact, Item 10 of the applicant’s PCS orders indicates "Airman has a POV in storage at government expense (Richmond, Virginia)."

Under the previous assignment to Kadena the applicant was authorized storage of his POV and chose to personally procure the storage and receive reimbursement for the storage costs. Upon reassignment from Kadena to Mildenhall, the applicant chose to continue to personally procure the POV storage with reimbursement. When he attempted to receive reimbursement for the POV storage after reassignment to Mildenhall, he was advised POV storage was not authorized for members assigned to Mildenhall, and his reimbursement request was denied.

TMO at Kadena indicates it is evident there was confusion regarding POV entitlements and concurred the applicant was provided unclear and/or incorrect guidance. The omission of the shipment authorization statement in the order, along with the statement from the TMO at Kadena indicating concurrence that the applicant was provided unclear and/or incorrect guidance, indicates the applicant made a decision based on erroneous/incomplete guidance, resulting in his paying for an unauthorized service. Therefore, reimbursement should be authorized.

A complete copy of the PPA HQ/PPE evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 27 Nov 17 for review and comment within 30 days (Exhibit D). 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 an error or injustice. We took notice of the applicant's complete submission in judging the merits of the case and agree with the opinion and recommendation of PPA HQ/PPE and adopt its rationale as the basis for our conclusion the applicant has been the victim of an error or injustice. Therefore, we recommend the applicant's records be corrected as indicated below.

THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to the APPLICANT be corrected to show he was authorized the storage of his Privately Owned Vehicle (POV) during his assignment to the United Kingdom in accordance with the Joint Travel Regulation, paragraph 5378, and is authorized reimbursement for POV storage.

The following members of the Board considered AFBCMR Docket Number BC-2016-04760 in Executive Session on 14 Feb 18 under the provisions of AFI 36-2603, *Air Force Board for Correction of Military Records*:

 Panel Chair

 Member

 Member

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

 Exhibit A.  DD Form 149, dated 12 Nov 16, w/atch(s).

 Exhibit B.  Excerpts from Master Personnel Records. Exhibit C.  Memorandum, PPA HQ/PPE, dated 23 Oct 17.

 Exhibit D.  Letter, AFBCMR, dated 27 Nov 17.

Pursuant to paragraph 1 of AFI 36-2603 (Title 32 Code of Federal Regulations, Part 865.1), it is certified a quorum was present at the Board's review and deliberations, and the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.