



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

LCC:ddj
Docket No: 7460-02
20 November 2002

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

[REDACTED]

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

Encl: (1) DD Form 149 w/attachments
(2) CNO memorandum 7220 Ser N130C3/02U0599 of 29 October 2002
(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 Petitioner was entitled to payment of per diem for his billeting for Temporary Duty (TDY) for the period 1 October 2001 through the date he graduated from the CTR "A" School, Corry Station Pensacola, Pensacola, FL.

2. The Board, consisting of Messrs. Milner, Pfeiffer, and Ms. Hare, reviewed Petitioner's allegations of error and injustice on 13 November 2002 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. Due to no fault of the Petitioner he was held in place at Corry Station Pensacola, Pensacola, FL pending final clearance so that he could attend the CTR "A" school as directed by the orders which sent him to the CTR "A" School as required by his rate.

c. 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. On 18 September 2001 a message was sent from the CTR "A" School, Corry Station Pensacola to OPNAV, PERS N130, requesting authorization to extend period of TDY for Petitioner to attend the CTR "A" School. Attendance at the school was for his rate. The period covering the extension of the TDY was for 1 October 2001 through 13 June 2002, 256 days. Petitioner occupied Per Diem Billeting for the entire period of TDY. On 20 September 2001 OPNAV PERS 130 approved the request for the additional period of 256 days of TDY to attend school.

b. On 25 September 2001, NPC, Millington TN modified Petitioner's orders to read the ACC code was "351" vice "350".

(NOTE: Petitioner must 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 TDY and a copy of the orders pertaining to the TDY, along with a copy of this action. **The Agency making computation will not make the actual payment.** Petitioner will then forward the computation of monies due, a copy of this letter and all other vouchers and orders pertaining to the TDY to DFAS-DE/POCC, 6760 E. Irvington Place, Denver, CO 80279-7100.)

c. 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.

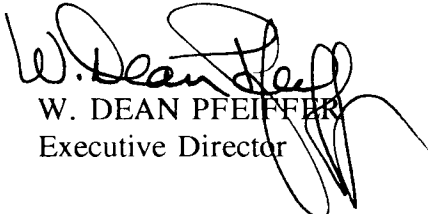
ROBERT D. ZSALMAN
Recorder


G. L. ADAMS
Acting Recorder

Docket No: 7460-02

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.

20 November 2002


W. DEAN PFEIFFER
Executive Director