



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

LCC
Docket No. 1334-11
11 Jul 11

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

Subj: REVIEW OF NAVAL RECORD ICO
[REDACTED]

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

Encl: (1) DD Form 149 w/attachments
(2) CNO memo 5420 Ser N130C1/11U0340 of 26 Apr 11
(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 when Petitioner received permanent change of duty orders from Diego Garcia, Chago Archipelago to Molesworth, England he was entitled to Consecutive Overseas Travel (COT). His dependents resided in Molesworth, England during his tour of duty in Diego Garcia.

2. The Board, consisting of Messrs. George, Pfeiffer, and Zsalman, reviewed Petitioner's allegations of error and injustice on 13 June 2011 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. 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. The PSD Diego Garcia sent a message to CNO N130C1 3 August 2009 requesting a delay in the authorization of his COT.
- b. On 4 August 2009 CNO N130C1 approved the request for delay in the travel.
- c. Petitioner will be authorized reimbursement not to exceed government-constructed cost of the commercial air carrier transportation from member's permanent duty station of Molesworth, England to his Home of Record (Mobile, Alabama) and return.
- d. Petitioner must furnish a certificate from the local government transportation office that quotes the government cost of the travel from Molesworth, England to his Home of Record, Mobile, Alabama and cost of same travel for commercial travel for cost paid by the member.

(NOTE: Petitioner will forward a copy of this letter, a copy of his airlines ticket showing the cost of his air lines tickets, and a copy of the letter from the local Government Travel Office showing the travel comparison so DFAS can make payment of the amount due to the Petitioner. Petitioner will forward the entire package to the Defense Finance and Accounting Service, DFAS-IN, 8899 East 56th Street, Department 3300 (Attn: COR/Claims), Indianapolis, IN 462-3300.)

4. It is certified that quorum was present at the Board's review and deliberations, and that the foregoing is a true complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


WILLIAM J. HESS, III
Acting Recorder

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.

11 Jul 11


W. DEAN PFEIFFER
Executive Director