

## RECORD OF PROCEEDINGS

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2022-00305

XXXX X. XXX

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

### APPLICANT'S REQUEST

He be reimbursed for all Permanent Change of Station (PCS) expenditures from XXXX to XXXX.

### APPLICANT'S CONTENTIONS

He made travel plans based on information provided by the losing Military Personnel Flight (MPF) and Comptroller Squadron. Based on the communication he received, he should have been allowed nine travels days and 10 days of Temporary Lodging Expense (TLE). Due to the inaccurate information provided by Subject Matter Experts, he was charged five nights of TLE, eight travel days and 13 days of leave. Included in his submission is a detailed explanation of events and other supporting documentation.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is a currently serving Air Force master sergeant (E-7).

On 13 Jul 21, Special Order Number XXXX, authorized the applicant to PCS from XXXX to XXXX with a report no later than date of 30 Sep 21.

On 18 Aug 21, Order Number XXXX amended Special Order Number XXXX, to add approval of circuitous/indirect travel from XXXX to XXXX.

On 20 Sep 21, the applicant's Report on Individual Personnel summary reflects his Effective Duty Date at XXXX.

On 12 Nov 21, Order Number XXXX amended Order Number XXXX, to correct the approved route of the circuitous/indirect travel.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit C.

### AIR FORCE EVALUATION

HQ USAF/A1PA recommends granting the application. Based on the documentation provided by the applicant and analysis of the facts, there is evidence of an error or injustice. When the applicant elected circuitous travel he was then limited to one day of travel to the OCONUS assignment in accordance with the Joint Travel Regulations (JTR). The applicant was miscounseled in that he was told he would be allowed nine travels days based on his orders and 10 days of TLE. According to the JTR, paragraph 050204, *Indirect or Circuitous Travel Outside of the continental United States (OCONUS)*, a Service member or dependent who performs PCS travel to, from, or between locations OCONUS over an indirect or circuitous route at personal

expense and convenience is authorized travel allowances unless he or she was directed to use Government transportation and did not use it when it was available.

A Service member may receive the following travel allowances, limited to the amount he or she would have been authorized traveling the direct route between the old and new PDS: (1) Monetary Allowance in Lieu of Transportation (MALT) plus flat per diem (MALT Plus) for land travel performed from the time the Service member or dependent departs the old permanent duty station (PDS) until the Service member reports to, or the dependent arrives at, the new PDS; (2) Reimbursement for the cost of transoceanic U.S. flag transportation used and per diem; or (3) Reimbursement for transoceanic travel on non-U.S. flag transportation as specified in paragraph 020206.

The complete advisory opinion is at Exhibit C.

### **APPLICANT'S REVIEW OF AIR FORCE EVALUATION**

The Board sent a copy of the advisory opinion to the applicant on 2 Jun 22 for comment (Exhibit D), but has received no response.

### **FINDINGS AND CONCLUSION**

1. The application was timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is the victim of an error or injustice. The Board concurs with the rationale and recommendation of HQ USAF/A1PA and finds a preponderance of the evidence substantiates the applicant's contentions. However, the Board would first like to address the applicant's TLE contention. In this regard, the Board finds the applicant was in fact authorized 10 days of TLE but needs to file a supplemental travel voucher to show he departed on 7 Sep 21 instead of 2 Sep 21, which will allow him to claim reimbursement for the five additional days of TLE. In reference to the applicant's request for reimbursement of his PCS costs, the Board finds the applicant was originally issued orders and received incorrect information from his Travel Manager who authorized him nine travel days from XXXX to XXXX and further authorized circuitous travel that would reimburse the applicant the cost of his self-procured transoceanic travel to his PDS in XXXX. In doing so, the Travel Management Office erroneously approved two different types of travel and since circuitous travel only authorizes one travel day, they indirectly removed the authorization for the nine travel days. The Board further notes the applicant was unaware of this error until after he arrived at his PDS and filed his travel voucher, which only reimbursed him for the cost of his airfare and one travel day. As such, the Board finds the only means of correcting the applicant's record in accordance with the JTR is to remove the circuitous travel authorization from Order Numbers XXXX and XXXX, thereby authorizing the original nine travel days. However, in doing so it will create a debt for the cost of the airfare associated and originally covered by the circuitous travel authorization. Therefore, the Board recommends correcting the applicant's records as indicated below.

### **RECOMMENDATION**

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

a. Order Number XXXX, dated 18 Aug 21, and Order Number XXXX, dated 12 Nov 21 be amended to remove the circuitous travel statement, thus authorizing the applicant reimbursement of 9 total travel days.

b. The debt created by removing circuitous travel from his orders be waived.

## **CERTIFICATION**

The following quorum of the Board, as defined in Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2022-00305 in Executive Session on 30 Jun 22:

, Panel Chair  
, Panel Member  
, Panel Member

All members voted to correct the record. The panel considered the following:

Exhibit A: Application, DD Form 149, w/atchs, dated 27 Jan 22.  
Exhibit B: Documentary evidence, including relevant excerpts from official records.  
Exhibit C: Advisory opinion, HQ USAF/AIPA, w/atchs, dated 1 Jun 22.  
Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 2 Jun 22.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.

**X**

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Board Operations Manager, AFBCMR