



Work-Product

## UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-00078

Work-Product

COUNSEL: NAME

HEARING REQUESTED: YES

### APPLICANT'S REQUEST

Reimbursement for expenses incurred while on temporary duty (TDY) enroute to his permanent duty station.

### APPLICANT'S CONTENTIONS

The Air Force Personnel Center (AFPC) initially authorized a temporary duty (TDY) enroute that exceeded 139 days. Per the Joint Travel Regulation (JTR), this should have been a permanent change of station (PCS). He received official orders from AFPC and executed the orders as published. Due to executing the orders as published, he has \$4,919.91 of expenses for meals and incidental expenses (MI&E), rental car, and lodging that has not been reimbursed. Many personnel attending formal training across the Air Force are in a TDY status, so there was no reason to question the validity of the published orders from AFPC. He has appealed to AFIMSC, DFAS, DOHA and the Remissions Board. To date, all have been unsuccessful. He is requesting to be reimbursed the remaining \$4,919.91 expenses incurred during the formal F-16 Training Course he was ordered to attend.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is a currently serving Air Force captain (O-3).

AF Form 899, *Request and Authorization for Permanent Change of Station – Military*, dated 24 June 2021, shows the applicant proceeded on a permanent change of station (PCS) with a permanent change of assignment (PCA); Report to Commander, New Assignment: no later than 31 January 2022; Concurrent travel was approved; Travel days authorized if traveling by privately owned conveyance: 2; Unit, major command and address of unit from which relieved: "Attorn..."; Unit, major command and address of unit to be assigned: "Work-Product"; Dependent Travel: concurrent travel was approved.

AF IMT 973, *Request and Authorization for Change of Administrative Orders*, dated 28 June 2021, shows the order was amended as shown in item 5 (In Part); 5. Amendment: A. Item 22; As Reads: "01. DOS: 8 Aug 3888 / AAR: 03 OS-CONUS / DEROS: 01 Jul 2021;" Amended to Read: "01. DOS: 08 Aug 3888 / AAR: 03 OS-CONUS / DEROS: 30 Jun 2021." Also amended to include the F-16 C/D Requalification training at Work-Product. The duration of the course was 163 days, with a start date of 6 July 2021, and a graduation date of 16 December 2021.

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AF IMT 973, *Request and Authorization for Change of Administrative Orders*, dated 19 October 2021, shows the order was amended to authorize full M&IE.

AF IMT 973, *Request and Authorization for Change of Administrative Orders*, dated 24 November 2021, shows the order was amended to authorize compact rental car plus incidentals.

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

## **AIR FORCE EVALUATION**

AFPC/DP3AM recommends granting the application. IAW the Joint Travel Regulation (JTR) paragraph 032201 and DAFI 36-2110, paragraph 4.5, any course (or courses) at one location and the official length of the course is 20 weeks or more, then the airman attends in PCS status. The applicant was incorrectly sent TDY to a course that exceeded 20-weeks in length when attendance at this course should have been performed as a Permanent Change of Station (PCS). The applicant should be authorized to attend this course in TDY status and provided with all per diem and TDY entitlements incurred while in attendance at this course.

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 7 June 2024 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 AFPC/DP3AM and finds a preponderance of the evidence substantiates the applicant's contentions. Therefore, the Board recommends correcting the applicant's records as indicated below.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

## **RECOMMENDATION**

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show he was authorized temporary duty entitlements/reimbursement for the period of temporary duty served from 6 July 2021 to 16 December 2021 as reflected in the appropriate amendments processed.

## CERTIFICATION

The following quorum of the Board, as defined in Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2024-00078 in Executive Session on 22 August 2024:

 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 18 December 2023.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, AFPC/DP3AM, dated 14 May 2024.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 7 June 2024.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

9/11/2024

X

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Board Operations Manager, AFBCMR  
Signed by: USAF