



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

LCC:ddj
Docket No: 6919-01
30 January 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 7220.11 Ser N130E2/01U1336 of 30 October 2001
(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 travel pay via privately owned vehicle from Pensacola, FL, which was where he had been assigned for Temporary Duty Under Instruction (TEMDUINST), via Monterey, CA, his old duty station, to his new duty station, which was Mayport, FL.
2. The Board, consisting of Messrs. McPartlin, Neuschafer, and Ms. Humberd, reviewed Petitioner's allegations of error and injustice on 29 January 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. Petitioner received orders reassigning him from Monterey, CA to Lemoore, CA, with TEMDUINST to Pensacola, FL. Since Petitioner would be returning to CA he left his dependents in place until he completed the TEMDUINST. Just prior to completing the TEMDUINST Petitioner's orders to Lemoore CA were cancelled and he was given new orders reassigning him to Mayport, FL. The orders did not authorize him to return to CA to make arrangements for shipment of household goods (HHGs) and to accompany his dependents cross country.

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. BUPERS orders 1188, issued on 27 April 1998, were modified on 28 April 1998 to authorize Petitioner to travel from his TEMDUINS station, Pensacola, FL, to his old permanent duty station, Monterey, CA, to his new duty station, Mayport, FL. Under the provisions of the Joint Federal Travel Regulations (JFTR), paragraph U5120.B Petitioner should have been authorized payment of PCS allowances, to include travel time via privately owned vehicle for all phases of travel, to return to his old duty station to make arrangements for travel of dependents and shipment of HHGs prior to reporting to the new duty station. The modification to BUPERS orders 1188 authorized Petitioner payment of PCS allowances from Pensacola, FL to Monterey, CA and then to Mayport, FL. Petitioner was authorized payment for two (2) cars being driven cross country.

(NOTE: Petitioner should 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 the PCS and TEMDUINST and a copy of this action. **The agency making the 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 PCS and TEMDUINST to DFAS-DE/POCC, 6760 E. Irvington Place, Denver, CO 80279-7100.)

b. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

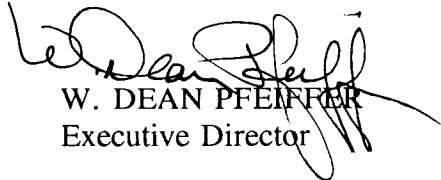
4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


G. L. ADAMS
Acting Recorder

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.

30 January 2002


W. DEAN PFEIFFER
Executive Director