

a. Prior to filing enclosure (1) with this Board, Petitioner exhausted all administrative remedies afforded under existing law and regulations within the Department of the Navy.

b. On 20 February 2005 Petitioner completed an "Application for Do-It-Yourself Move and Counseling Checklist" (DD Form 2278, Sep 1998). The application states, among other things, that he was "entitled" to move a "maximum authorized weight" of 17,500 pounds from Quantico, VA to Camp Lejeune, NC. It also advised that it was the "member's responsibility" to submit "weight tickets" to the "paying office TMO to receive incentive payment." See enclosure (2).

c. The applicant moved his HHG under the provisions of paragraph U5320D of the Joint Federal Travel Regulations (JFTR). See enclosure (3).

d. Petitioner alleges that upon completion of the move, he mailed all receipts and weight tickets to COMPT TRANS VOUCH CERT Branch (TVCB), ATTN: CODE 470, 814 Radford Blvd Ste 20318, Albany GA 31704-0318. He did not mail the documents via certified mail nor did he retain a copy of the documents sent.

e. The office in Albany, however, reports that they did not receive Petitioner's receipts, weight tickets and other documents necessary to provide him with the incentive payment.

f. When the weight of the shipment of HHG is not available, paragraph U5335E, JFTR authorizes a "constructive" weight to be estimated based on an inventory and the cubic feet of property shipped. Enclosure (4).

g. Petitioner completed a DD Form 1701, Inventory of HHG and his cubed weight can be calculated at approximately 2,870 pounds. This "constructive" weight is substantially less than the maximum amount of weight he was authorized to ship at government expense. Enclosures (5 & 6).

h. In correspondence attached as enclosure (7), the office having cognizance over the subject matter involved in

Petitioner's application recommended denial, commenting that, in their opinion, no relief was warranted. They note that the Petitioner was counseled that he must provide weight tickets to be paid. Further, he was also forewarned to maintain copies of all documents sent to the Transportation Voucher Office (in case they are lost). See enclosure (7).

CONCLUSION

Upon review and consideration of all the evidence of record, notwithstanding the comments contained in enclosure (7), the Board finds the existence of an injustice warranting the requested relief. In this connection, the Board expressed a desire to adhere to the policy that individuals who move themselves should generally be entitled to receive an incentive payment. In an effort to provide the Petitioner with the most favorable consideration possible, they accepted his proffer that he obtained and mailed the weight tickets. And although he undeniably should have kept copies (in case the originals were lost), the Board found that his request for payment associated with the movement of about 3000 pounds of personal property was reasonable and not excessive. This was determined to be especially true because the Petitioner had been authorized to move substantially more than his inventory shows that he moved. Accordingly, the Board determined that the issue should be settled by calculating a constructive weight of the HHG using the DD Form 1701 and using that constructive weight as a substitute for the missing weight tickets.

Accordingly, the Board recommends the following corrective action.

RECOMMENDATION:

That Petitioner's naval record be corrected, where appropriate, to show that:

- a. Petitioner's incentive payment for moving his HHG will be based on a constructive weight of 2,870 pounds by cubing the items listed on the DD Form 1701.

b. A copy of this Report of Proceedings will be filed in Petitioner's naval record.

4. It is certified that a 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.

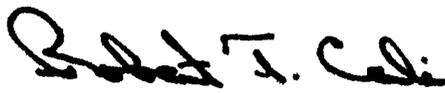
ROBERT D. ZSALMAN
Recorder


WILLIAM J. HESS, III
Acting Recorder

5. The foregoing action of the Board is submitted for your review and action.


W. DEAN PFEIFFER

Reviewed and approved:



2-12-08