



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

BAN
Docket: 03525-10
17 May 2011

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

Subj: REVIEW OF NAVAL RECORD [REDACTED]

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

Encl: (1) DD Form 149 w/attachments
(2) Navy Personnel Command (NPC) memo 5420 Ser
N130C1/11U0352 of 28 Apr 11

1. Pursuant to the provisions of reference (a) Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show that her transfer orders reflect a date of 7 November 2009 vice 7 January 2010.

2. The Board, consisting of Messrs. Pfeiffer, Exnicios, and George reviewed Petitioner's allegations of error and injustice on 17 May 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. Petitioner was stationed aboard the USS EISENHOWER, with COMCARSTRIKEGRU EIGHT. On 13 October 2009, she was given via email, a written notification that her orders were imminent to the Naval Inspector General (NAVINSGEN) office in Washington, D.C.

c. Petitioner personally transported her household goods on 7 November 2009, from Norfolk, Virginia, (her homeport) to Washington D.C., prior to the receipt of her official transfer orders.

d. Petitioner's orders were not issued until 7 January 2010. Therefore, her claim for reimbursement of costs associated with the move was denied by PERS-47.

e. In April 2010, Petitioner submitted an application with this Board seeking a change to her record to show that her transfer orders were issued on 7 November 2009.

f. In correspondence attached as enclosure (2), the office having cognizance over her household goods reimbursement policy 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 orders for Petitioner from the USS EISENHOWER, COMCARSTRIKEGRU EIGHT to the NAVINSGEN in Washington D.C. were issued on 7 November 2009 vice any other date.

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

Note: Petitioner should resubmit her claim with a copy of this letter to the Business Support Detachment FISCN, HHG Audit Team Division, Code 302, 1968 Gilbert Street STE 600, Norfolk VA 23511-3392. Upon receipt, the auditors will recalculate Petitioner's reimbursement.

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


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.

17 May 2011


ROBERT D. ZSALMAN
Acting Executive Director