



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

JBH
Docket No. NR296-13
30 July 2013

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

Subj: [REDACTED]

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

Encl: (1) DD Form 149 w/attachments
(2) Weight tickets and associated e-mails
(3) Separation Order, NAVPERS 1900/2 dated 4 Sep 2012
(4) CNO ltr 7220 Ser N130C1/09U0935 of 21 Dec 2009

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 establish eligibility for reimbursement of a self-procured household goods move.

2. The Board, consisting of Messrs. Pfeiffer, Zsalman and George, reviewed Petitioner's allegations of error and injustice on 16 July 2013 and, pursuant to its regulations, determined by majority vote 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. On 15 May 2012, Petitioner submitted a request for a 5 month early release so he could attend college during the Fall semester.

c. On 30 May 2012, the command supported the early release and forwarded the request to Commander Navy Personnel Command.

d. Commander, Navy Personnel Command disapproved the request for early separation on 25 June 2012.

e. Petitioner's spouse conducted a Personally Procured Household Goods Move (PPM) on 27 July 2012.

f. Petitioner submitted a second request for early release on 6 August 2012.

g. On 14 August 2012, Petitioner's second request for early release was approved.

h. Petitioner's separations orders were issued 4 September 2012.

i. Shortly after issuance of separations orders, Petitioner sought reimbursement for his household goods move. He was told that, because he moved himself prior to his separations orders being approved/issued, any such claim would not be payable.

g. In December 2012, Petitioner submitted an application to this Board. Petitioner seeks to have the record changed to show that his orders were issued before his household goods move in order to make a claim for reimbursement of travel expenses. Petitioner states in his written statement that his spouse had rented an apartment and paid for courses which started in the summer term prior to the notification that the request for early release was disapproved. Due to the fact the Petitioner's spouse was due to start classes during the summer term, he made the decision to move her to [REDACTED] and remain in [REDACTED] until his early release was approved.

h. In correspondence attached as enclosure (4), the office of the Commander Naval Supply Systems Command (Code N130) has recommended the request be denied for the following reasons. The member conducted a Personally Procured Move prior to receiving separation orders and Petitioner did not meet the

requirements outlined in the Joint Federal Travel Regulations to be reimbursed for the Personally Procured Move using his Separation orders.

CONCLUSION:

Upon review and consideration of all the evidence of record, the majority of the Board, concluded that Petitioner's request warrants favorable action. The Board carefully weighed the observations made in enclosure (4). The Board found that, while there is no evidence of an error, as a general matter of equity, the Navy should pay for a separating member's final household goods move, even if the member moved himself prematurely, but in good faith.

RECOMMENDATION:

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

a. Petitioner's separation orders were issued prior to 27 July 2012.

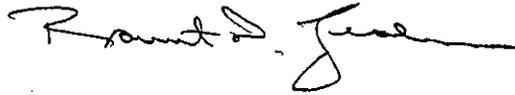
b. Petitioner is authorized reimbursement for the self-procured household goods move he made on approximately 27 July 2012. Reimbursement shall be governed by the standard policies and regulations that apply to other self-procured household goods moves made in conjunction with separation from active duty.

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

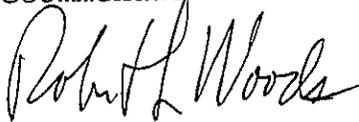

BRONTE I. MONTGOMERY
Acting Recorder

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



ROBERT D. ZSALMAN
Acting Executive Director

The recommendation is reviewed and approved:



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