



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

█
Docket No. 2887-21
Ref: Signature Date

█
█
█

Dear █:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 23 September 2021. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies. In addition, the Board considered the advisory opinion contained in Naval Supply Systems Command letter 5420 Ser SUP 04/004 of 26 July 2021; a copy of which was previously provided to you for comment.

In accordance with the Joint Travel Regulations (2020), permanent change of station (PCS) and non-temporary storage (NTS) weight Allowances (Pounds) for an E-5 at the with dependents rate was 9,000 lbs. Furthermore, The Service member is financially responsible for the excess weight charges even if the Transportation Officer did not notify the Service member or the approving official (AO) providing transportation funds of the known or suspected excess weight status before transportation. Moreover, when Government-procured household goods (HHG) transportation and NTS is available, but the Service member or next of kin, when appropriate, chooses to personally arrange transportation, reimbursement is limited to the Government's constructed "Best Value" cost for the actual HHG weight transported, up to the Service member's maximum authorized HHG weight allowance.

On 15 October 2020, you were issued official retirement orders (BUPERS order: 2890), while stationed in █, with an effective date of departure of October 2020.

On 27 November 2020, you were honorably transferred to the Temporary Disability Retired List.

On 3 February 2021, you entered into a contract with [REDACTED] of [REDACTED] LLC to move your HHG. The moving and pack date was 19 March 2021 with a delivery date of 20 March 2021. The total cost was \$6,839.25 based on an estimated weight of 12,082 lbs.

On 24 February 2021, your Application for Do It Yourself Move and Counseling Checklist (DD Form 2278) was created listing a move from [REDACTED] to [REDACTED] with a maximum authorized weight of 9,000 lbs., and an MTMC rate solicitations plus \$5.00 per CWT x EST. WT. or WT. Allowance \$5,065.22, and was certified by a certifying official. You signed on 6 April 2021.

You requested full reimbursement of your personally procured Household Goods (HHG) move; the Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that government-moving contractors were available, therefore, you were only authorized government-constructed costs for procuring your own moving company. Furthermore, reimbursement is not authorized for the 640 lbs. of excess weight moved. Finally, you were paid 100% of the government-constructed costs. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

9/23/2021

[REDACTED]

Deputy Director

[REDACTED]