



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

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Docket No. 3340-21
Ref: Signature Date

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Dear Petitioner:

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 14 October 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 Commander, Naval Supply Systems Command letter 5420 Ser SUP 04/011 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 O-5 at the with dependents rate was 17,500 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.

On 22 January 2020, you were issued official modification to retirement orders (BUPERS order: 2209), while stationed in █, with an effective date of departure of March 2020.

On 31 March 2020, you transferred to the retired list having sufficient service for retirement effective 1 April 2020.

On 26 May 2020, the transportation service provider (TSP) packed up your household goods (HHG). On 29 May 2020, the TSP picked up your HHG for transportation. On 28 Jul 2020, the TSP delivered your HHG.

On 20 April 2021, NAVSUP Fleet Logistics Center Norfolk notified you that their records show that your 2020 move from █ to █ exceeded your authorized weight allowance of 17,500 lbs. authorized by Paragraph 051306 A of the Joint Travel Regulations. You exceeded your entitlement by 7,466 lbs. resulting in an excess cost of \$12,538.65. Your Max Authorized weight was 20,000 lbs. (this included PBP&E weight: 2,500 lbs.). Total Moved Net weight was 27,466 lbs., with an Excess Weight of 7,466 lbs.

You requested relief from your NAVSUP debt; 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 each of your last five moves showed a progression in excess weight. For your 2020 move, a reweigh was conducted by the TSP and it billed the government at the lower weight. The Board concluded that you are financially responsible for the excess charges due to exceeding your weight allowance. You may complete a DD Form 2789 Remission of Indebtedness Application and submit it to the Chief of Naval Personnel (N130C) if this creates a financial hardship for you. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

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,

11/1/2021

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Deputy Director

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