



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

█
Docket No. 3467-21
Ref: Signature Date

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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 21 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 Commander, Naval Supply Systems Command letter 5420 Ser SUP 04/012 of 26 July 2021; a copy of which was previously provided to you for comment.

In accordance with the Joint Travel Regulations (2017), permanent change of station (PCS) and non-temporary storage (NTS) weight Allowances (Pounds) for an E-6 at the without dependents rate was 8,000 lbs. Furthermore, the member is still financially responsible for excess weight charges, even if the excess weight status was known/suspected prior to transportation and the member and/or the approving official (AO) providing transportation funds were not notified by the transportation officer (TO) of the weight status.

On 28 August 2017, your official change duty orders (BUPERS order: 2407) with an obligated service to April 2019, while stationed in █, with an effective date of departure of March 2018. Petitioner's ultimate activity was █ for duty with an effective date of arrival of April 2018.

On 16 December 2017, you were advanced to Petty Officer First Class/E-6.

On 2 March 2018, U.S. Government Bill of Lading was issued (Shipment No. 1/3). The transportation company tendered to was █ INC. with a pickup location from █ to delivery location of █ with a GROSS of 11,415 lbs. /NET of 8,865 lbs. Certified on 5 March 2018.

On 2 March 2018, U.S. Government Bill of Lading was issued (Shipment No. 2/3). The transportation company tendered to was █ with a pickup location from █ to

delivery location of [REDACTED] with a GROSS of 895 lbs. /NET of 781 lbs. Certified on 5 March 2018.

On 6 March 2018, U.S. Government Bill of Lading was issued (Shipment No. 3/3). The transportation company tendered to was [REDACTED] with a pickup location from [REDACTED] to delivery location of [REDACTED] with a GROSS of 405 lbs. /NET of 360 lbs. Certified on 6 March 2018.

On 7 March 2018, [REDACTED] issued a household goods weight ticket with a gross weight of shipment of 8,865 lbs. On 8 March 2018, [REDACTED] issued a household goods weight ticket with a gross weight of shipment of 405 lbs. On 9 March 2018, [REDACTED] issued a household goods weight ticket with a gross weight of shipment of 895 lbs.

On 16 March 2018, you transferred from [REDACTED], and arrived to [REDACTED] on 4 April 2018 for duty.

You requested the removal of excess charges of \$2,065 for your March 2018 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 the transportation service provider submitted proper weight tickets and inventory sheets, which supported the weight billed to the government. There were 9 sheets of inventory items for your Household Goods (HHG), not including 2 Unaccompanied baggage (UB). Your 2018 HHG weight was 8,865 lbs., and your 2018 UB was 781 lbs. and 360 lbs. for a total weight of 10,006 lbs. minus 1,001 lbs. (10% for packing materials) for a total weight of 9,005 lbs. exceeding your allowed weight by 1,005 lbs. with a cost of \$2,065.60. In accordance with the Joint Travel Regulation, you are financially responsible for your indebtedness. You may file a waiver/remission of indebtedness (DD Form 2789) if the debt has created a financial hardship for you. If you seek a remission, you should request instruction directly from NXAG_N130C@navy.mil. 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,

10/21/2021

[REDACTED]