



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

[REDACTED]
Docket No. 6014-21
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED] USN,
[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) The Joint Travel Regulations (JTR) 2021

Encl: (1) DD Form 149 w/attachments
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to show Petitioner was reimbursed for the execution of his personally procured move (PPM).

2. The Board, consisting of [REDACTED] and [REDACTED] reviewed Petitioner's allegations of error and injustice on 14 October 2021 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, relevant portions of Petitioner's naval record, 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. In accordance with reference (b), household goods (HHG) allowances are based on the permanent change of station (PCS) order's effective date; although, the HHG may be transported as long as the HHG authority remains in effect. The weight allowance is based on the grade held on the effective date of the order authorizing the HHG transportation. HHG transportation before a PCS order is issued is authorized if the request for transportation is supported by all of the following: a. A statement from the authorizing/Order-Issuing Official (AO) or designated representative that the Service member was advised before such an order was issued that it would be issued. b. A written agreement, signed by the applicant, to pay any additional costs incurred for transportation to another point required because the new permanent duty station (PDS) named in the order is different than that named in the AO's statement. c. A written

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
[REDACTED]

agreement, signed by the applicant, to pay the entire transportation cost if a PCS order is not later issued to authorize the transportation.

c. On 13 February 2021, [REDACTED] LLC issued an interstate revised written estimate at pickup with an estimated charges of \$10,863

d. On 14 February 2021, Certified Automated Truck Scale weight certificate was issued at [REDACTED] with gross weights of 24,740 lbs.

e. On 26 February 2021, Petitioner was issued official separation orders (BUPERS order: 0571), while stationed in [REDACTED] with an effective date of departure of May 2021.

f. On 11 March 2021, Petitioner's 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 MTMC rate solicitations plus \$5.00 per CWT x EST. WT. or WT. Allowance \$6,428.73. It was certified by a certifying official. Petitioner signed on 16 March 2021.

g. On 9 April 2021, NAVSUP Fleet Logistics Center [REDACTED] notified Petitioner that a review of the documentation supporting the claim shows that Petitioner initiated shipment of his HHGs on 13 February 2021 prior to the 26 February 2021 issue date of his orders. Since shipment was made prior to the issuance of orders, this office has no legal basis to permit payment of Petitioner's claim.

h. On 14 May 2021, Petitioner was honorably released from active duty and transferred to the Navy Reserve after completion of required active service.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of reference (b), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that HHG allowances are based on the PCS order's effective date and certain criteria must be met in order to execute HHG transportation before an order is issued. Petitioner knew he was nearing his completion of required active service; therefore, the Board concluded that Petitioner had reason to believe his separation orders would be forthcoming.

RECOMMENDATION

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

Petitioner's official separation orders (BUPERS order: 0571) were issued on 12 February 2021 vice 26 February 2021. Furthermore, Petitioner was authorized to ship HHG.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
[REDACTED]

Note: Petitioner will submit a copy of the Board's approval letter to the Navy Household Goods Audit Team with all appropriate HHG documentation and orders to settle his claim. Settlement of move charged against Petitioner's BUPERS order: 0571.

A copy of this Report of Proceedings will be filed in Petitioner's naval record.

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.

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 the reference, has been approved by the Board on behalf of the Secretary of the Navy.

11/1/2021

[REDACTED]

Deputy Director

[REDACTED]