



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

██████████
Docket No. 81-22
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 8 September 2022. 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 also considered the advisory opinion by Commander, Naval Supply Systems Command memorandum 5420 Ser SUP 04/014 of 1 March 2022, which was previously provided to you. You were afforded an opportunity to submit a rebuttal, but did not do so.

In accordance with the Joint Travel Regulations (JTR), a Service member on a PCS order to or from a Permanent Duty Station Outside the Continental United States (OCONUS) is authorized to ship one Privately Owned Vehicle (POV) unless restricted by the Approving Official or Service regulations. POV transportation allowances are discretionary.

On 11 March 2020, you were issued BUPERS orders (Official Active Duty for Special Work Orders) for active duty for special work under the authority of Title 10 USC Section 12301 (D) for the period of 23 March 2020 to 30 September 2020. Your ultimate activity was Joint Region ██████████ for duty.

On 3 April 2020, Commander, Joint Region ██████████ notifying Vehicle Processing Center (VPC) ██████████ that he certified that POV is necessary in the performance of your official duties. You were stationed on ██████████ and due to the distance between your place of duty, residence and commissary a POV is an absolute necessity.

On 21 April 2020, you received a shipping instruction summary (3JA0488232) from International Auto Logistics listing a 2018 Jeep Wrangler, valued at \$26,600 to be shipped from ██████████ to ██████████. Turn in date was 21 April 2020 and RDD date was 15 June 2020.

On 22 April 2020, 61 Civil Engineer and Logistics Squadron (CELS)/LGRD memorandum for Vehicle Processing Center stated that in accordance with JTR, Para 5330 and 5344, you were entitled to shipment of POV as authorized. The reporting no later than date for your new assignment to [REDACTED] was 22 March 2020. The Transportation Account Code was NG20.

On 25 August 2020, you were issued BUPERS orders (Official Active Duty for Operational Support Orders) for active duty for special work under the authority of Title 10 USC Section 12301 (D) for the period of 1 October 2020 to 30 September 2021. Your ultimate activity was [REDACTED] for duty.

On 30 August 2021, you were issued Active Duty for Special Work Modification for the period of 1 October 2020 to 30 September 2021. Your ultimate activity was [REDACTED] for duty. You were authorized PCS.

On 20 September 2021, you were issued a non-negotiable bill of lading from [REDACTED] for shipping of a Jeep Wrangle from [REDACTED]. You paid \$2,593.14.

You were released from active duty and transferred to the Naval Reserve with an Honorable character of service and were issued a DD Form 214 for the period of 20 March 2020 to 30 September 2021 upon completion of required active service.

You requested reimbursement of the denied POV shipping cost from [REDACTED]; 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 Active Duty Operational Support members are advised via Administrative Remarks (NAVPERS 1070/613) that shipment of Household Goods POV is not authorized to or from any OCONUS location including [REDACTED] and [REDACTED] and that orders cannot be modified solely for the purpose of obtaining entitlements. Although you received authority to ship your POV to [REDACTED], there is no authorization or funding to ship your POV back to [REDACTED] per your orders. Per JTR, POV transportation allowances are discretionary. 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,

9/23/2022

[REDACTED]