



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

█  
Docket No. 636-22  
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 12 July 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 considered the advisory opinion by Navy Pay and Personnel Support Center letter 5400 of 7 June 2022 which was previously provided to you for comment, and your response.

Per the Joint Travel Regulation, commercial airplane is the preferred mode for official travel more than 400 miles one way or more than 800 miles round trip. The Approving Official may authorize or approve the use of a private automobile or motorcycle on a case-by-case basis in accordance with guidance if advantageous to the Government. Furthermore, if a traveler uses a privately owned vehicle (POV) instead of the authorized transportation type (other than a government automobile), then reimbursement is limited to the constructed cost of the authorized transportation type. Miscellaneous reimbursable expenses associated with driving a POV and incurred during travel, such as parking and tolls, are not authorized for reimbursement.

On 8 January 2020, you were issued official change duty orders (BUPERS order: 0080) with required obligated service to February 2024, while stationed in █ with an effective date of departure of September 2020. Your intermediate activity (1) was █ for temporary duty under instruction with an effective date of arrival of 6 October 2020. Your intermediate activity (2) was █ for temporary duty under instruction with an effective date of arrival of 2 November 2020. Your intermediate activity (3) was █

for temporary duty with an effective date of arrival of 16 December 2020. Your intermediate activity (4) was ██████████ for temporary duty under instruction with an effective date of arrival of 2 January 2021. Your ultimate activity was ██████████ for duty with an effective date of arrival of 5 February 2021.

On 19 August 2020, you were issued official modification to change duty orders (BUPERS order: 0080) with required obligated service to February 2024, while stationed in ██████████ with an effective date of departure of November 2020. Your intermediate activity (1) was ██████████ for temporary duty under instruction with an effective date of arrival of 3 November 2020. Your intermediate activity (2) was ██████████ for temporary duty with an effective date of arrival of 29 November 2020. Your intermediate activity (3) was ██████████ for temporary duty under instruction with an effective date of arrival of 2 January 2021. Your intermediate activity (4) was ██████████ for temporary duty under instruction with an effective date of arrival of 20 February 2021. Your ultimate activity was ██████████ for duty with an effective date of arrival of 25 March 2021.

On 18 November 2020, you were issued official modification to change duty orders (BUPERS order: 0080) while stationed in ██████████ with an effective date of departure of November 2020. Your intermediate activity (1) was ██████████ for temporary duty with an effective date of arrival of 27 December 2020. Your intermediate activity (2) was ██████████ for temporary duty under instruction with an effective date of arrival of 14 January 2021. Your intermediate activity (3) was ██████████ for temporary duty with an effective date of arrival of 4 February 2021. Your intermediate activity (4) was ██████████ for temporary duty under instruction with an effective date of arrival of 17 February 2021. Your intermediate activity (5) was ██████████ for temporary duty with an effective date of arrival of 31 March 2021. Your intermediate activity (6) was ██████████ for temporary duty under instruction with an effective date of arrival of 19 April 2021. Your ultimate activity was ██████████ for duty with an effective date of arrival of 20 May 2021.

On 11 December 2020, COMNAVPERSCOM notified ██████████ that you had been approved to execute your Permanent Change of Station (PCS) orders. COVID-19 PCS waiver was approved due to mission essential. You were authorized to execute PCS. Dependent travel is authorized (as applicable). PSD/NAVPTO issue tickets accordingly.

On 24 August 2021, Travel Voucher Summary (DO Voucher No. ██████████) was issued and paid for the period of 3 January 2021 to 14 May 2021. Advances/Prior Payments: \$0.00. Total Entitlement: \$12,160.58. Due Employee: \$12,160.58.

On 6 December 2021, Officer in Charge, ██████████ ██████████ that this certified that you received authorization from that Detachment to travel to your Intermediate Duty Stations during your PCS transfer from ██████████ ██████████ to ██████████ via POV vice Commercial Air Travel due to COVID-19 travel restrictions. You executed your PCS transfer in December 2020 while travel restrictions on commercial airlines were still in place. You were authorized to utilize your POV, even though under normal conditions you would not

have been authorized to do so, in order to execute your orders on time. When your PCS travel claim was liquidated, you were only reimbursed the amount authorized to fly instead of drive resulting in you spending approximately \$2,000 in out-of-pocket expenses, due to no fault of your own, creating a financial hardship.

You requested POV school travel during your PCS, which was authorized by your previous command, to be endorsed to cover the charges such as gas, hotels, and mileage. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertion that you were instructed to drive your own vehicle across country for these schools from the detaching command. However, the Board majority concluded that there is no evidence showing that you were directed to drive your own personal vehicle, only that your command authorized you to do so. On 11 December 2020, you were approved for a COVID-19 PCS waiver and PSD/NAVPTO were directed to issue tickets accordingly, therefore, you are only authorized reimbursement equivalent to government airfare. 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, \_\_\_\_\_

7/27/2022

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Deputy Director

Signed by: █