



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

[REDACTED]
Docket No. 2808-22
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO FORMER MBR [REDACTED],
USN, XXX-XX-[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 Petitioner was reimbursed for a Personally Procured Move (PPM).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 4 May 2022 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, to include reference (b)¹.

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. On 21 September 2021, Petitioner notified President, Physical Evaluation Board (PEB) via PEB Liaison Officer (PEBLO) that on 21 September 2021, Petitioner received the findings of the PEB in his case. Petitioner understood that he had until close of business on 6 October 2021(15

¹ 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 agreement, signed by the applicant, to pay the entire transportation cost if a PCS order is not later issued to authorize the transportation.

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calendar days after receipt of his findings) to submit his decision to the PEB via Petitioner's PEBLO as to whether he does or does not accept the findings.

c. On 26 October 2021, U-Haul issued Petitioner an Equipment Contract receipt for \$4,362.75.

d. On 27 October 2021, Distribution Management Office, [REDACTED] issued an empty weight of 8,150 and full weight of 11,700 ticket.

e. On 29 October 2021, Certified Automated Truck Scales was issued at [REDACTED] with gross weight of 14,620 lbs.

f. On 18 November 2021, Petitioner was honorably Discharged upon completion of required active service.

g. On 3 January 2022, Petitioner was issued official separation orders (BUPERS order: 0032) while stationed in [REDACTED] with an effective date of departure of November 2021. Petitioner's place elected for travel was [REDACTED] with an effective date of separation 4 January 2022.

h. On 6 January 2022, Petitioner's Application for Personally Procured Move and Counseling Checklist (DD Form 2278) was certified by counselor listing a move from [REDACTED] to [REDACTED] with a maximum authorized weight of 9,000 lbs. and Estimated Constructive Costs of \$3,929.65. Furthermore, it was certified by Petitioner on 10 January 2022.

i. On 7 March 2022, NAVSUP Fleet Logistics Center Norfolk notified Petitioner that Paragraph 051302 A of the Joint Travel Regulation states that transportation of household goods (HHG) at government expenses prior to the issuance of permanent change of station orders is not authorized. Exception is made when the order issuing authority (Navy Military Personnel Command) or member designated representative provides a written statement that orders are forthcoming and shipment may be prior to the official issuance of orders.

A review of the documentation supporting the claim shows that Petitioner initiated shipment of his HHG on 27 Oct 2021 prior to the 3 Jan 2022 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.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner's contract expired on 18 November 2021 and he was going through the PEB process. Petitioner received the PEB's findings on 21 September 2021, therefore, Petitioner had reason to believe that separation orders would be forthcoming.

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RECOMMENDATION

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

Petitioner's official separation orders (BUPERS order: 0032) were issued on "26 October 2021" vice "3 January 2022."

Note: Petitioner will submit a copy of the Board's approval letter to the Navy HHG Audit Team with all appropriate HHG documentation and orders to settle his claim. Settlement of move charged against Petitioner's BUPERS order: 0032.

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.

5/28/2022

[REDACTED]

Deputy Director

Signed by: [REDACTED]