



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

█
Docket No. 5011-22
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO █ █, USNR,
█

Ref: (a) Title 10 U.S.C. § 1552
(b) The Joint Travel Regulation (JTR) 2022

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 his Personally Procured Move (PPM).

2. The Board, consisting of █ █, █ █ and █ █ reviewed Petitioner's allegations of error and injustice on 19 July 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.

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 4 January 2022, Commanding Officer, █ █ notified Petitioner that Per DoDI 1300.25 and 1322.29 he was assigned an alternate duty location to facilitate the United States █ █ that he was entered into. Petitioner's duty location during the fellowship will be █ █, █ █ with his residence being located at █ █. Duty hours will be those set by the training facility.

Petitioner was to contact █ █ every 2 weeks to maintain accountability. He must notify the unit when he switches from phase one to phase two. If for any reason work location or residence change during the fellowship, Petitioner must clarify that through the unit.

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[REDACTED]

If for any reason Petitioner is removed or withdraw from the fellowship his place of duty will default to [REDACTED] and he will immediately return upon such a situation. Upon return of medical evaluation board results Petitioner will immediately take appropriate actions to return for final out processing for separation and/or retirement.

c. On 24 February 2022, U-Haul issued Petitioner an Equipment Contract receipt for \$453.20.

d. On 1 March 2022, Certified Automated Truck Scales receipt was issued at [REDACTED] with gross weight of 14,500 lbs.

e. On 2 March 2022, Certified Automated Truck Scales receipt was issued at [REDACTED] with gross weight of 10,320 lbs.

f. On 22 June 2022, household goods (HHG) Audit Division notified Petitioner that Paragraph 051302 A of the Joint Travel Regulation states that transportation of HHGs 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 HHGs on 03 Mar 2022 prior to the [24 Mar 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.

g. On 24 March 2022, Petitioner was issued official separation orders (BUPERS order: 0832) while stationed in [REDACTED] with an effective date of departure of July 2022. Petitioner's place elected for travel was [REDACTED] with an effective date of separation 13 July 2022.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2) and reference (b)¹, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that per reference (b), HHG allowances are based on when orders are effective and certain criteria must be met in order to execute HHG transportation before an order is issued. Petitioner was assigned to United States

¹ Reference (b), 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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[REDACTED] on 4 January 2022 with the understanding that upon return of medical evaluation board results, Petitioner would immediately take appropriate actions to return for final out processing for separation and/or retirement. Therefore, Petitioner had reason to believe that separation orders would be forthcoming.

RECOMMENDATION

Petitioner's official separation orders (BUPERS order: 0832) were issued on "23 February 2022" vice "24 March 2022."

Note: Petitioner advised to resubmit his personally procured move claim, orders, receipts, and a copy of this Board of Correction of Naval Records' decision to the Household Good Audit Team (HHG-AT) for re-adjudication. The point of contact is the Director, HHG-AT (Code 302), NAVSUP Fleet Logistics Center Norfolk, 1968 Gilbert Street Suite 600, Norfolk, VA 23511-3392 Phone: 757-443-1873 or email at pptas.fiscn@navy.mil

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.

8/2/2022

[REDACTED]
Deputy Director
[REDACTED]