



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

[REDACTED]
Docket No. 7165-22
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 Regulation (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 his Personally Procured Move (PPM).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 4 October 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. On 13 October 2021 Petitioner was issued official separation orders (BUPERS order: 2861) while stationed in [REDACTED] with an effective date of departure of October 2021. Petitioner's place elected for travel was [REDACTED] with an effective date of 21 October 2021.

b. Petitioner was discharged with an honorable character of service and was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 5 November 2012 to 21 October 2021 upon completion of required active service.

c. On 4 March 2022 Petitioner emailed [REDACTED] requesting an extension for his final move. He stated that he intended for his move to be conducted on or about 15 June 2022. On 6 March 2022 [REDACTED] notified Petitioner that if he has not moved any personal property on his current separation orders, he may do a final move. Based on Petitioner's DD Form 214 information (block 12c) and his separation orders 2861, IAW JTR paragraph 051003-A.1.c, he is eligible for a home of selection (HOS) due to having more than 8 years TAFMS of continuous service. Petitioner's effective separation date was 21 October 2021, meaning his HOS of [REDACTED] must be executed/completed prior to 21 October 2022.

d. On 3 August 2022 [REDACTED] issued a [REDACTED] Truck Rental statement ([REDACTED]) with a pick up date of 3 August 2022 and expected drop-off date of 9 August 2022 charging Petitioner with an overall estimated total of \$2,055.16.

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XXX-XX-██████

e. On 7 August 2022 (17:55) Certified Automated Truck Scale receipt was issued at ██████████ with gross weight of 25,460 lbs, and on 7 August 2022 (18:08), Certified Automated Truck Scale receipt was issued at ██████████ with gross weight of 3,640 lbs.

f. On 9 August 2022, ██████████ issued a Rental Miscellaneous CDV (██████████) charging Petitioner \$378.54.

g. On 18 August 2022, ██████████ issued a Unit Tare Weight for 13,949 lbs.

h. On 19 August 2022 (12:46), Certified Automated Truck Scale receipt was issued at ██████████ with gross weight of 2,980 lbs.

i. On 15 September 2022, ██████████ notified Petitioner that Paragraph 051002 K of the Joint Travel Regulation state that a service member and his or her dependent must begin travel to the Home of Record (HOR) or Place from Which Called or Ordered to Active Duty (PLEAD) before the 181st day following separation from service or release from active duty to receive separation allowances. When travel before the 181st day would impose a hardship on the service member, if requested a time-limit extension may be authorized or approved for a specific time through the Secretarial Process.

A review of the documentation supporting the claim shows that Petitioner initiated shipment of his Household Goods (HHG) on 3 August 2022, which is beyond the 181st day after his 13 October 2021 separation. Since shipment was made after the 181st day, this office has no legal basis to permit payment of Petitioner's claim.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of reference (b)¹ and enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner was only allowed 6 months to conduct his HHG move. Petitioner inquired about an extension for his final move and was misinformed that he had until 21 October 2022 to conduct his PPM. As a result, his claim was denied. Under the circumstances, the Board determined that relief is warranted.

RECOMMENDATION

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

Petitioner submitted a time-limit extension in a timely manner for 6 months. Furthermore, the request was received and approved by cognizant authority.

¹ Reference (b), a service member and his or her dependent must begin travel to the HOR or PLEAD before the 181st day following separation from Service or release from active duty to receive separation allowances. When travel before the 181st day would impose a hardship on the Service member, a time-limit extension may be authorized or approved for a specific time through the Secretarial Process. The request for a time-limit extension must include the following: 1. A description of the circumstances that prevent travel within the 180 days, the specific amount of additional time requested, and an acknowledgement that the extension is not being granted merely to accommodate personal preference or convenience. The extension must be for the shortest time appropriate under the circumstances. 2. An extension cannot be authorized or approved if it extends travel and transportation allowances for more than 6 years from the date of separation, release from active duty or retirement, or from the date the Service member's dependent receives an official notice that the Service member is dead, injured, missing, interned, or captured. The only time the 6 years may be exceeded is when a Service member's certified on-going medical condition prevents relocation of the dependent for longer than 6 years from the notification date.

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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), [REDACTED]
[REDACTED]
[REDACTED]

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.

10/14/2022

[REDACTED]