



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

██████████
Docket No. 8182-22
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO ██████████, USN,
XXX-XX-██████████

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 8 November 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 15 December 2021 Petitioner was issued official retirement orders (BUPERS order: ██████████) while stationed in ██████████, ██████████ with an effective date of departure of June 2022. Proceed to home of selection with an effective date of transfer to the retired list of 1 July 2022, and on 25 April 2022 Petitioner was issued official cancellation of orders (BUPERS order: ██████████). Orders and any modification(s) there to cancelled.

b. On 11 May 2022 United Van Lines, Sullivan Moving and Storage Co. a truck scale receipt was issued at ██████████, ██████████ with gross weight of 12,960 lbs. On 12 May 2022 ██████████ Moving and Storage Co. a truck scale receipt was issued at ██████████, ██████████ with gross weight of 22,420 lbs. On 16 May 2022 Certified Automated Truck Scale receipt was issued at ██████████, ██████████ with gross weight of 22,480 lbs.

c. On 1 June 2022 Petitioner was issued official change duty orders (BUPERS order: ██████████) while stationed in ██████████, ██████████ with an effective date of departure of July 2022. Petitioner's

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ultimate activity was [REDACTED], [REDACTED] for duty with an effective date of arrival of August 2022, with a Projected Rotation Date (PRD) of August 2025.

d. On 13 July 2022 Petitioner's Application for Personally Procured Move and Counseling Checklist (DD Form 2278) was created listing a move from [REDACTED], [REDACTED] to [REDACTED], [REDACTED] with a maximum authorized weight of 18,000 lbs. and Estimated Constructive Costs of \$14,645.31, and certified by counselor on 13 July 2022.

e. On 4 November 2022 NAVSUP Fleet Logistics Center Norfolk notified BCNR 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 12 May 2022 prior to the 1 June 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, and especially in light of the contents of reference (b)¹ and enclosures (1) and (2), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded per reference (b) HHG allowances are based on the when orders are effective and certain criteria must be met in order to execute HHG transportation before an order is issued. Petitioner's official retirement orders (BUPERS order: [REDACTED]) were issued on 15 December 2021 which were subsequently cancelled on 25 April 2022. Petitioner executed his move prior to the issuance of follow on orders, however, Petitioner received verbal confirmation of the cancellation of BUPERS order: [REDACTED]; therefore, Petitioner had reason to believe that official change duty orders would be forthcoming.

RECOMMENDATION

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

Petitioner's official change duty orders (BUPERS order: [REDACTED]) were issued on "1 May 2022" vice "1 June 2022."

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 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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Note: Petitioner is 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.

11/10/2022

