



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

██████████
Docket No. 8535-22
Ref: Signature Date

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

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

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 her naval record be corrected to show Petitioner was reimbursed for her Personally Procured Move (PPM).

2. The Board, consisting of ██████████ reviewed Petitioner's allegations of error and injustice on 22 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 10 May 2022 COMNAVPERSCOM notified Petitioner's command that the Secretary of the Navy has directed Petitioner's Permanent Disability Retirement with an effective of 11 July 2022. Furthermore, final out processing completion date is required no later than 26 days from notification of decision from the Physical Evaluation Board (ref/a/) IAW IDES performance timeline goals. Permissive temporary duty is authorized IAW MILPERSMAN 1320-220 and CO approval per NAVPERS 190000a, the transition assistance services and benefits manual.

b. On 13 June 2022 (14:30) ██████████ Company scales receipt was issued at ██████████, ██████████ with a gross weight of 24,080 lbs., and on 17 June 2022 (16:19) ██████████ Company scales receipt was issued at ██████████ with a gross weight of 31,380 lbs. On 24 June 2022 ██████████ issued Petitioner a receipt for \$5,904.00 with a pick up date of 16 June 2022.

c. On 6 July 2022 Petitioner was issued official retirement orders (BUPERS order: 1872) while stationed in ██████████ with an effective date of departure of July 2022. Petitioner's home of selection was deferred with an effective date of retirement of 11 July 2022.

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d. Petitioner retired 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 12 July 2016 to 10 July 2022 due to Disability, Permanent.

e. On 19 October 2022 NAVSUP Fleet Logistics Center [REDACTED] 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 her HHG on 16 June 2022 prior to the 6 July 2022 issue date of her 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 enclosure (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. On 10 May 2022, Petitioner's command was notified that the Secretary of the Navy had directed Petitioner's Permanent Disability Retired List effective 11 July 2022, therefore, Petitioner had reason to believe that retirement orders would be forthcoming.

RECOMMENDATION

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

Petitioner's official retirement orders (BUPERS order: 1872) were issued on "12 June 2022" vice "6 July 2022."

Note: Petitioner is advised to resubmit her 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),

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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[REDACTED]

NAVSUP Fleet Logistics Center [REDACTED], [REDACTED]
[REDACTED] email at [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.

12/1/2022

[REDACTED]