



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

[REDACTED]
Docket No. 9127-22
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED] [REDACTED], USN,
[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) The Joint Travel Regulations (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 [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 20 December 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 1 August 2022 the [REDACTED] issued Petitioner a statement for transport household goods from [REDACTED] to [REDACTED] for the amount of [REDACTED], and at 10:43 the Certified Automated Truck Scale receipt was issued at [REDACTED] with gross weight of 64,440 lbs.

b. On 10 August 2022 (16:35) the Certified Automated Truck Scale receipt was issued at [REDACTED] with gross weight of 42,280 lbs.

c. On 6 September 2022 Petitioner was issued official change duty orders (BUPERS order: 2492) with required obligated service to December 2025, while stationed in [REDACTED] with an effective date of departure of October 2022. Petitioner's intermediate (1) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 15 October 2022. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 14 December 2022, with a Projected Rotation Date (PRD) of December 2025.

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d. On 13 September 2022 Petitioner signed Application for Personally Procured Move and Counseling Checklist (DD Form 2278) listing a PPM move authorized from [REDACTED] to [REDACTED] with a maximum authorized weight of 13,000 lbs. and Estimated Constructive Costs of [REDACTED]. Counselor signed the form.

e. On 11 October 2022 Petitioner transferred from [REDACTED], and arrived to [REDACTED] on 16 October 2022 for temporary duty.

f. On 16 December 2022 [REDACTED] 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 01 Aug 2022 prior to the 06 Sep 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 enclosure (2), 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 stated that he was in contact with his detailer and he knew where he would be transferring. On 1 August 2022, [REDACTED] issued Petitioner a statement for transport household goods from [REDACTED] to [REDACTED]. The Board determined that Petitioner had reason to believe that official change duty orders to Idaho would be forthcoming.

RECOMMENDATION

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

Petitioner's official change duty orders (BUPERS order: 2492) were issued on "28 July 2022" vice "6 September 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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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.

12/23/2022

[REDACTED]

Deputy Director

[REDACTED]