



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

[REDACTED]
Docket No. 873-23
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) NAVADMIN 222/15, 17 Sep 15
(c) The Joint Travel Regulations (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 [REDACTED] reviewed Petitioner's allegations of error and injustice on 7 February 2023 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. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. On 24 June 2022 Petitioner was issued a Temporary Additional Duty (TEMADD) Travel Orders (NAVPERS 1320/16) effective 31 June 2022 for 154 days to [REDACTED] for [REDACTED]. End on 1 January 2023.

b. On 14 July 2022 (08:58) Certified Automated Truck Scale receipt was issued at [REDACTED] with gross weight of 6,200 lbs., and U-Haul issued Petitioner an Equipment Contract receipt for a total rental charges of \$1,928.88.00. At (10:43) Certified Automated Truck Scale receipt was issued at [REDACTED] with gross weight of 13,180 lbs. On 15 July 2022 (16:14) Certified Automated Truck Scale receipt was issued at [REDACTED] with gross weight of 22,460 lbs., and at (16:15) Certified Automated Truck Scale receipt was issued at [REDACTED] with gross weight of 7,160 lbs. On 17 July 2022 (10:56), Certified Automated Truck Scale receipt was issued at [REDACTED] with gross weight of 6,900 lbs., and at (10:57), Certified Automated Truck Scale receipt was issued a [REDACTED] with gross weight of 22,520 lbs.

c. On 13 December 2022 Petitioner was issued official separation orders (BUPERS order: 3472) while stationed in [REDACTED] with an effective date of departure of January 2023. Petitioner's place elected for travel was [REDACTED] with an effective date of 27 January 2023.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]

d. Petitioner was released from active duty and transferred to the Navy Reserve 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 28 September 2015 to 27 January 2023 upon completion of required active service.

e. On 3 February 2023 NAVSUP Fleet Logistics Center [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 you initiated shipment of your HHG on 14 Jul 2022 prior to the 13 Dec 2022 issue date of your orders. Since shipment was made prior to the issuance of orders, this office has no legal basis to permit payment of your claim.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of the references and enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that per reference (c),¹ 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. On 24 June 2022, Petitioner was issued TEMADD Travel Orders (NAVPERS 1320/16) effective 31 June 2022 for 154 days to [REDACTED] for [REDACTED],² therefore, Petitioner had reason to believe that official separation orders would be forthcoming.

RECOMMENDATION

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

Petitioner's official separation orders (BUPERS order: 3472) were issued on 13 July 2022 vice 13 December 2022.

¹ Reference (c), household goods 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.

² Reference (b), the DoD SkillBridge initiative connects civilian businesses and companies with available training or internship opportunities that offer a high probability of employment with Sailors who are separating; these services are to be provided at little or no cost to the Sailor. Those who meet certain qualifications, with command approval, can participate in civilian job and employment skills training, including apprenticeships and internships, up to six months prior to separation.

To participate in the DoD SkillBridge employment skills training program, Sailors must have completed at least 180 days on active duty and are expected to be discharged from active duty with an Honorable discharge, including General discharge (under Honorable conditions), within 180 days of the date of commencement of participation in such program; be separating from the Navy and have sufficient time remaining under their contract to complete the program prior to established separation date. The intent of the program is for Sailors to complete the training while they are still on active duty. If a program extends past enlistment and is being conducted off-base, approval may be granted on a case by case basis.

Subj: REVIEW OF NAVAL RECORD ICO [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.

2/14/2023

[REDACTED]

Deputy Director

[REDACTED]