



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

[REDACTED]
Docket No. 2996-23
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD IC [REDACTED]
[REDACTED]

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 [REDACTED] reviewed Petitioner's allegations of error and injustice on 18 April 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. 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 1 May 2013 to 23 September 2022 upon completion of required active service.

b. On 28 September 2022, Petitioner was issued official separation orders (BUPERS order: 2712) while stationed in [REDACTED], [REDACTED] with an effective date of departure of September 2022. Petitioner's place elected for travel was [REDACTED] with an effective date of separation of 29 September 2022.

c. On 3 March 2023, Commander, Navy Personnel Command notified The Honorable Guy Resenthaler that the Naval Supply Systems Command recommends that Petitioner submit a petition with the Board for Correction of Naval Records for reimbursement of moving expenses. Include substantial documentation to support Petitioner's request, a copy of this letter and send the package to the Board of Correction of Naval Records organizational mailbox at [REDACTED]. The Board of Correction of Naval Records is the adjudicating authority for his request of "move before orders."

d. On 17 April 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

Subj: REVIEW OF NAVAL RECORD IC0 [REDACTED]
[REDACTED]

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 17 July 2022 prior to the 28 September 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) 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. Petitioner was preparing to separate upon completion of required active service; therefore, Petitioner had reason to believe that official separation orders would be forthcoming. Petitioner was issued official separation orders after his discharge from active duty.

RECOMMENDATION

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

Petitioner's official separation orders (BUPERS order: 2712) were issued on "15 July 2022" vice "28 September 2022."

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.

4/21/2023

[REDACTED]
Deputy Director
[REDACTED]