

DEPARTMENT OF THE NAVY

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

> Docket No. 7626-23 Ref: Signature Date

Dear ,

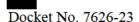
This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 4 January 2024. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies. In addition, the Board considered the advisory opinion by Commander, Naval Supply System Command 5420 Ser SUP 04/088 of 8 November 2023, which was previously provided to you for comment.

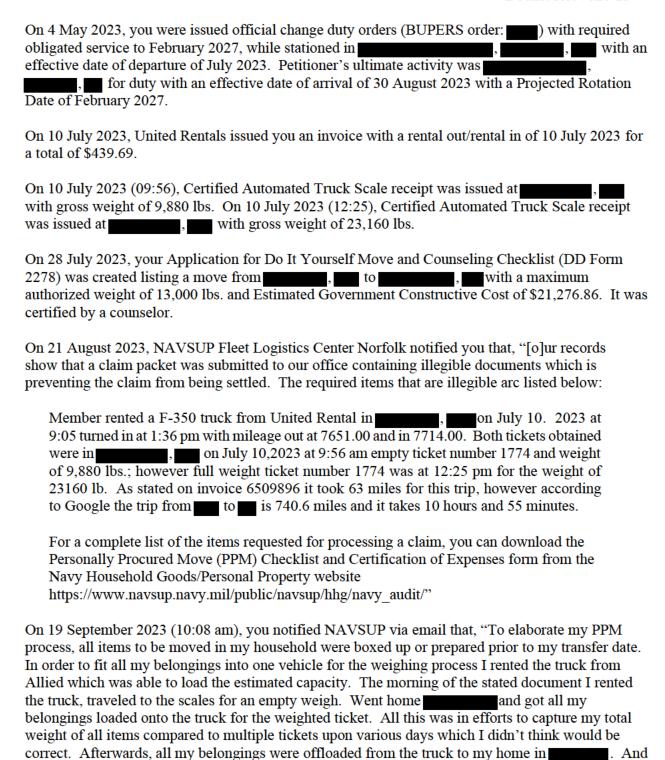
The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

In accordance with NAVSUP P-490, Rev 6, if member does not hire a commercial Transportation Service Provided or Portable Mobile Storage Container company then three weight tickets are required: (1) Empty within 25 miles of Origin (2) Full within 25 miles of Origin. (3) Full within 25 miles of Destination. Failure to comply with the above will result in claim being returned unpayable.

Weight Certificates are unobtainable. The Personal Property Shipping Office (PPSO) Directors may pre-approve in writing constructive weight for local moves when there is no scale between origin and destination. (i.e., on-base to on-base move). (1) The member should be provided a copy of the Navy's Constructive Weight Inventory form prior to moving. (2) The member will need to submit the written authorization from the PPSO Director and the Navy Constructive Weight Inventory form with the final claim. All other requests to use constructive weight must be approved by the NAVSUP HQ Household Goods (HHG) Team. Constructive weight that was not pre-approved will be limited to reimbursement of documented costs. No incentive will be paid.



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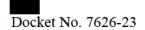


On 19 September 2023 (12:35), NAVSUP notified you that, "[u]nfortunately, sir we cannot accept this. You would have had to obtain weight tickets of the vehicles you used for each load. Empty and

I returned the truck. Finally, I had to take multiple trips, due to leave, availability, and family

planning spanning over the course of July to transfer all of my items from

was accomplished utilizing my Pick-up truck and utilizing family vehicles as well."



full. We cannot use weight from a truck you rented to only weigh your HHG. Your claim will have to be denied by our office and you will need to file an appeal with BCNR.

can provide you the information needed to do this."

You requested payment for your PPM conducted in conjunction with (BUPERS order: Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You asserted that you followed proper procedure and submitted accurate documentation and the claim was not paid. However, the Board concluded that your move was not in accordance with procedures. You claim that you rented a truck for the purpose of weighing your HHG and then you returned the rental truck and conducted your move in your pickup truck, making two trips. The weight tickets you submitted were not in accordance with the reference. There were only two weight tickets submitted for your move, one empty weight and one full weight, I. However, you were required to have weight tickets for each truckload as follows: Empty within 25 miles of origin, Full within 25 miles of origin, and Full at destination. Furthermore, the weight claimed is not in line with the maximum payload of 3,270 lbs. for your pickup truck. Two trips in this vehicle would equal approximately 6,540 lbs. not 13,280 lbs. as exhibited on the weight tickets. The Board determined that in accordance with NAVSUP Pub 490, you are not entitled to payment for more than the reimbursement you received from NAVSUP for expenses only. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

