



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

█
Docket No. 8360-23
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO █, USNR, XXX-XX-█

Ref: (a) Title 10 U.S.C. § 1552
(b) The Joint Travel Regulations

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 █, █, and █ reviewed Petitioner's allegations of error and injustice on 14 December 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 3 August 2021, Petitioner was issued mobilization order modification (030005Z AUG 21).
 - b. On 13 August 2021, Petitioner was issued mobilization order extension (130009Z AUG 21).
 - c. On 26 August 2021, Petitioner was issued mobilization order modification (260139z Aug 21). "SNM will remain mobilized at assigned ultimate duty station until 10 October 2022 unless sooner released by COMNAVPERSCOM (PERS-461). PERS-461 will provide demobilization authorization via future correspondence, and is sole authority for authorizing demobilization of mobilized reservists."
 - d. On 30 September 2022, Petitioner was issued demobilization order modification. Official Release from Active Duty Orders (300008Z SEP 22).
 - e. On 10 November 2022, Petitioner departed █, and arrived to █ on 15 November 2022.
 - f. On 30 November 2022, Petitioner was issued a 12301H Medical Evaluation Order. Official Recall to Active Duty Orders (300005Z NOV 22).

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g. On 13 February 2023, 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 you initiated shipment of your HHG on 20 July 2022 prior to the 30 September 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. Our records show that the weights of the remaining postage receipts were not included with the claim. You may submit documentation such as the custom declaration forms showing the weights of the postage. If you do not have evidence of the weight shipped, 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 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 issued mobilization order modification stated he would remain mobilized at assigned ultimate duty station until 10 October 2022 unless sooner released by COMNAVPERSCOM (PERS-461); therefore, Petitioner had reason to believe that demobilization orders would be forthcoming.

RECOMMENDATION

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

Petitioner was issued demobilization order modification (Official Release from Active Duty Orders) with a date-time group of "150008Z JUL 22" vice "300008Z SEP 22."

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.

12/28/2023

