

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

> Docket No. 10212-23 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 5 March 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 accordance with NAVSUP Publication 490, Rev 6 published on 8 February 2018, full weight tickets that exceed the Gross Vehicle Weight Rating (GVWR) will be paid at no higher than 110% of the GVWR.

On 6 April 2023, you were issued official change duty orders (BUPERS order:) with required obligated service to January 2027, while stationed in the stationed in the state of the state o

of arrival of 21 October 2023. Your ultimate activity was a second secon

for duty with an effective date of arrival of 28 December 2023 with a Projected Rotation Date of July 2027.

On 13 July 2023, Florida Vehicle Registration was issued to you for the following vehicle: 2011 , 2 doors, and with a net weight of 3,095 lbs.

On 29 September 2023, your Application for Personally Procured Move and Counseling Checklist (DD Form 2278) was created listing a move from **Counseling**, to **Counseling**, with a maximum authorized weight of 9,000 lbs. and Estimated Government Constructive Cost of \$9,979.87. Form was certified by a counselor on 29 September 2023.

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On 5 October 2023 (17:38), Certified Automated Truck Scales receipt was issued at with gross weight of 4,180 lbs.

On 5 October 2023 (18:09), Certified Automated Truck Scales receipt was issued at with gross weight of 11,360 lbs.

On 16 October 2023, you transferred from **Constant and arrived to** on 22 October 2023 for temporary duty.

On 17 October 2023 (19:17), Certified Automated Truck Scales receipt was issued at with gross weight of 13,200 lbs.

On 17 October 2023, (Equipment Contract) issued you an equipment contract receipt for total rental charges of \$39.95 and estimated charges of \$71.10.

On 8 November 2023, you notified NAVSUP Fleet Logistics Center Norfolk that "[t]he was not used for the move as I obtained it just in case, I did need it. I stated in previous email and on the DPS form I only used Privately Owned Vehicles (POV) for my move."

On 16 January 2024, NAVSUP Fleet Logistics Center Norfolk notified the Board that "The cargo capacity of the conveyance is 10.5 cubic feet, (got from the Specs of the vehicle) $10.5 \times 7 = 73.5$ round up to 74. Then I plugged this information into the GVWR to get the 499 pounds that I paid the member."

You requested payment for your Personally Procured Moves (PPM) claim, the Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that you were underpaid as the incorrect weight was documented. However, the Board concluded that you conducted your PPM using your POV. NAVSUP obtained the specifications of your 2011 2 door and found that the weight tickets you submitted exceeded the cargo capacity of your POV. NAVSUP Publication 490 states that full weight tickets that exceed the GVWR will be paid at no higher than 110% of the GVWR. The Board determined that you were paid appropriately and that no change to your record is warranted.

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.

Sincerely, 3/8/2024