

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-00443

XXXX X. XXXX

COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

He be authorized the return of excess household goods (HHG) to non-temporary storage (NTS) under his Permanent Change of Station (PCS) order XXXX, dated 1 Apr 21.

APPLICANT'S CONTENTIONS

After his request was denied at base level and at PPA HQ, he was advised to file an appeal with the Board for Correction of Military Records. In his PCS orders to XXXX it states in Block 33, Item 11 that he was authorized NTS storage. The Joint Travel Regulations (JTR) referenced on his PCS orders did not provided any amplifying information or identify constraints regarding this authorization. Furthermore, at no time during his pre-move Transportation Management Office (TMO) counseling process was he advised of any limitations or constraints on the NTS authorization. It was only after he arrived to XXXX with all of his HHGs did he learn the government would not honor his authorization for excess HHGs to be stored. If his request is not granted, he will be forced to pay over \$15,000 to cover the cost of storing the excess HHGs.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a currently serving Air Force colonel (O-6).

On 1 Apr 21, Special Order Number XXXX, authorized the applicant to PCS to XXXX with a report not later than date of 11 Aug 21.

On 22 Apr 21, Order Number XXXX, amended Special Order Number XXXX, Item 1. (Grade, Name), to reflect his promotion effective 1 Apr 21.

On 1 Aug 21, the applicant's Report on Individual Personnel (RIP) reflects his Effective Duty Date (EDD) at XXXX.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit C.

AIR FORCE EVALUATION

PPA HQ/LHE recommends granting the application. Based on the documentation provided by the applicant and analysis of the facts, there is evidence of an error or injustice that may have

occurred. Service members who are ordered on a PCS Outside the Continental United States (OCONUS) are required to be counseled on HHG transportation in accordance with the Personal Property Consignment Instruction Guide (PPCIG). Documented email traffic indicates the applicant was briefed on the PPCIG, after the fact. Whether an individual elects to use or not to use NTS, they should be counseled that the allowance is available according to the OCONUS assignment and PPCIG. Neither of the DD Form 1797s, *Personal Property Counseling Checklist*, on file indicate the applicant was briefed on the NTS allowance. After further review of the DD Form 1797s, it was discovered the applicant was not counseled on other aspects associated with his PCS move; which further supports the applicants claim that he may have been inadequately counseled. Because the applicant did not receive counseling on the NTS options; it is possible he would not have known, he could have left a portion of his HHGs that were in NTS in storage for the duration of his OCONUS assignment.

The complete advisory opinion is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 8 Mar 22 for comment (Exhibit D), but has received no response.

FINDINGS AND CONCLUSION

1. The application was timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is the victim of an error or injustice. The Board concurs with the rationale and recommendation of PPA HQ/LHE and finds a preponderance of the evidence substantiates the applicant's contentions. Therefore, the Board recommends correcting the applicant's records as indicated below.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show that in accordance with Joint Travel Regulations (JTR), paragraph 0518-B7, he is authorized the return of excess household goods to Non-Temporary storage using Permanent Change of Station (PCS) order, XXXX, dated 1 April 2021. The authorized weight allowance is 18,000 pounds in accordance with JTR paragraph 051401, Table 5-37.

CERTIFICATION

The following quorum of the Board, as defined in Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2022-00443 in Executive Session on 17 May 22:

, Panel Chair
, Panel Member
, Panel Member

All members voted to correct the record. The panel considered the following:

Exhibit A: Application, DD Form 149, w/atchs, dated 21 Jan 22.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory opinion, PPA HQ/LHE, w/atchs, dated 7 Mar 22.

Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 8 Mar 22.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.

X

Board Operations Manager, AFBCMR