

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 23 April 2025

DOCKET NUMBER: AR20240000046

APPLICANT REQUESTS: reinstatement of his transportation entitlement

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Forms 149 (Application for Correction of Military Record)
- Medical Documents
- Orders 214-1101 Retirement Orders
- Email from G-4
- Letter from G-4
- Certificate of Birth

FACTS:

1. The applicant states, in pertinent part:

- 2021 and 2022 were difficult years for he and his family
- He had depression and anxiety issues he refused to acknowledge
- His out processing, from the Army, was rushed and incomplete
- He was told of the need to renew his transportation benefits once a year but did not remember it at the time he needed to request it
- A concussion, prescribed opioids, and sleep problems have left his memory less than ideal
- They did not move when he was medically retired because his wife was pregnant
- By the time they had jobs lined up, it was 2023

2. The applicant provides and his service records show:

- He enlisted in the Regular Army and entered active duty on 23 June 2009
- Medical documents, which show he suffered from complex pain syndrome of the left lower extremity and traumatic brain injury
- On 8 July 2021, he underwent a Physical Evaluation Board, which found him physically unfit for duty for left tibial/fibular fracture, left femur fracture with femur malunion, and complex regional pain syndrome of left lower extremity;

the board recommended he be permanently retired for disability with a 30 percent disability rating

- Orders 214-1101, 2 August 2021, placed him on the retired list on 22 October 2021; he was authorized shipment of his household goods and movement of his dependents to his home of selection; he was authorized one year to select his home and complete travel
- On 21 October 2021, he was honorably transferred to U.S. Army Reserve Control Group (Retired)
- Email from G-4, 24 October 2023, states unless he or the transportation office can produce email evidence of a previous extension request his eligibility expired on 21 October 2022
- Letter from G-4, 24 October 2023, states his travel and transportation authorization expired on 21 October 2022, G-4 does not have Joint Travel Regulation authority to reinstate an expired travel and transportation shipping authorization

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's petition, available military records and Letter from Department of the Air Force – Personal Property Activity, the Board found sufficient evidence to grant relief. The Board determined based on the applicant's extreme medical conditions and his spouse pregnancy and expected is warranted. The Board agreed, relief for reinstatement of the applicant's expired transportation/travel entitlement.

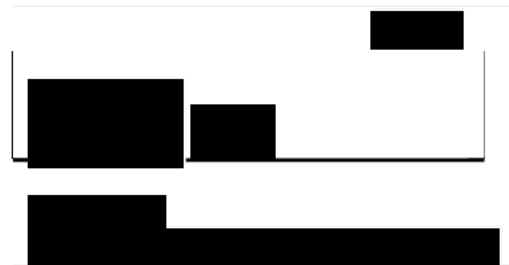
BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

|                                     |                                     |                                     |                      |
|-------------------------------------|-------------------------------------|-------------------------------------|----------------------|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | GRANT FULL RELIEF    |
| :                                   | :                                   | :                                   | GRANT PARTIAL RELIEF |
| :                                   | :                                   | :                                   | GRANT FORMAL HEARING |
| :                                   | :                                   | :                                   | DENY APPLICATION     |

BOARD DETERMINATION/RECOMMENDATION

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected to show the applicant submitted his extension paperwork prior to the 20 October 2022, as well as following years, so that the applicant is authorized reinstatement of his expired transportation/travel entitlements until 20 October 2026.



I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Joint Travel Regulation (JTR) (Uniformed Service Members and DoD Civilian Employees), the JTR implements policy and laws establishing travel and transportation allowances of Uniformed Service members and DoD civilian travelers. The JTR has the force and effect of law for travelers and implements statutory regulations and law for DoD civilian travelers. Organizations are expected to take appropriate disciplinary action when travelers willfully fail to follow the JTR. Chapter 5: Permanent Duty Travel (PDT) Part C: Household Goods Transportation (Service Members) The topic of HHG transportation includes a variety of functions associated with getting a Service member's or dependent's personal belongings from one location to another. Included in this section is the policy for the actual transportation or relocation of HHG, storage of HHG, and the various transportation methods available. Also in this section are the allowances for transportation of unaccompanied baggage; professional books, papers and equipment (PBP&E); and required medical equipment. A Service member is authorized transportation of HHG when moving is necessary due to a permanent change of station (PCS) or other reasons in this section.

a. Subparagraph K, an extension cannot be authorized or approved if it extends travel and transportation allowances for more than 6-years from the date of separation, release from active duty or retirement, or from the date the Service member's dependent receives an official notice that the Service member is dead, injured, missing, interned, or captured. The only time the 6-years may be exceeded is when a Service

member's certified on-going medical condition prevents relocation of the dependent for longer than 6 years from the notification date.

b. Subparagraph I (Time Limitations for Travel to the HOS), a Service member and dependent must begin travel to an HOS within 3-years of the Service member's termination from active duty unless additional time is authorized or approved through the Secretarial Process. A Service member is eligible for the 3 year time limitation if the active duty termination effective date is on or after 24 June 2022. The 3-year time limitation does not apply retroactively to a travel authorized for a Service member or dependent with an effective active duty termination date before the effective date. If a Service member is prevented from traveling due to an unexpected event that is beyond the Service member's control and is related to the Service member's separation from the Service, the 3-year time limit applies for both the Service member and dependent's travel unless extended through the Secretarial Process. Any extension must be in the Service's best interest or substantially benefit the Service member and is not costly and does not have an adverse impact to the Service. 2. A Service member must request all extensions in writing using the Secretarial Process. An extension may not be for more than 6-years from the date of retirement. The request must include the following: a. A description of the circumstances that prevent travel within the specified time period. b. The specific amount of additional time required. An extension should be for the shortest time necessary based on the circumstances. The 6-year limit may only be extended for travel to the HOS if a Service member has a certified and on-going medical condition.

c. Paragraph C (Other Deserving Cases), time-limit extensions may be authorized or approved through the Secretarial Process when: a. An unexpected event beyond the Service member's control occurs that prevents him or her from moving to the HOS within the specified time limit. b. The extension is in the Service's best interest or to the Service member's benefit, and it is not more costly or adverse to the Service. This includes cases where the 1-year time limit has already been extended due to hospitalization, medical treatment, education, or training. Time-limit extensions may be authorized or approved only for the specific period of time the Service member anticipates is needed to complete the move. If, at the expiration of this extension period, additional time is required, the Service member may request an additional extension through the Secretarial Process, explaining the reasons for the extension. An additional authorized period for a specific time may then be authorized or approved through the Secretarial Process. Time-limit extensions are not authorized for any reason for more than 6-years from the date of separation, release from active duty, or retirement.

2. Army Regulation 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR will decide cases on the evidence of record. It is not an investigative body.

//NOTHING FOLLOWS//