

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 26 February 2025

DOCKET NUMBER: AR20240006879

APPLICANT REQUESTS:

- remission or cancellation of indebtedness to the Defense Finance and Accounting Service (DFAS) in the amount of \$835.05 for Service Member's Group Life Insurance (SGLI)
- reconsideration of his previously requested for an exception to policy (ETP) to be fully reimbursed \$14,425.60 for a personally procured move (PPM), formerly referred to as a Do It Yourself (DITY) move
- personal appearance before the Board

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

- DD Form 149 (Application for Correction of Military Record) for SGLI
- SGLI Form 8286 (SGLI Election and Certificate of Coverage)
- Joint Uniform Military Pay System (JUMPS) Leave and Earnings Statements (LES) on-line Inquiry System
- Spreadsheet of SGLI paid
- DFAS Claim Ticket dated 9 July 2022
- DD Form 149 for PPM
- DD Form 214 (Certificate of Release or Discharge from Active Duty) signed 28 May 2021
- DD Form 214 signed 9 January 2024
- DD Form 1351-2 (Travel Voucher or Sub-voucher)
- DD Form 2278 (Application for DITY Move and Counseling Checklist)
- Headquarters (HQs) and Service Battalion HQs, U. S. Marine Corps Memorandum, Subject: Reimbursement of Authorized/Actual Expense in Care of Captain (CPT) J-B- (the applicant)
- E-mail regarding PPM
- DD Form 827 (Application for Arrears in Pay)
- DFAS Claim Ticket dated 23 January 2025
- E-mail from the applicant
- Contract for moving

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's case by the Army Board for Correction of Military Records (ABCMR) in Docket Number AR20220002277 on 15 November 2022. The evidence presented did not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of the case was insufficient as a basis for correction of his records.

2. The Board carefully considered the applicants request and statement, supporting documents, evidence in the records, and his record of service. The applicant was honorably discharged on 28 May 2021, for unacceptable conduct. Due to a tight time schedule, he entered into a contract on 21 May 2021 with his brother/sister for the use of trucks with trailers to assist him, in exchange for paying each \$1,500.00. The applicant executed his PPM without receiving weight tickets that resulted in submitting an ETP to HODA. His ETP was approved for Authorized/Actual Expense Reimbursement. He was authorized reimbursement for contract expenses in the amount of \$3,000. Since he did not provide receipts for packing material \$300.00 and gas/tolls \$500.00, he was not authorized the additional reimbursement. According to the JTR, if weight certificates are not provided, then reimbursement is authorized for a rental vehicle and equipment, packing materials, plus fuel, tolls and any storage in transit, up to the Government's constructed cost.

3. The applicant states he requests the remission or cancellation of indebtedness to the DFAS in the amount of \$835.05 for Service Member's Group Life Insurance (SGLI) and reconsideration of his previously requested for an ETP to be fully reimbursed for the amount of \$14,425.60 for a PPM, formerly referred to as a DITY move as well as a personal appearance before the Board.

He declined SGLI on 25 January 2019; however, the premiums were deducted from his pay until his separation from the Army National Guard (ARNG) on 28 May 2021 for a total of 28-months in the amount of \$835.05.

He completed a DITY move upon separation from the ARNG from Fort Belvoir, VA to his home of record in Florida in the peak of the Coronavirus epidemic in May of 2021. He could not locate any open weigh stations to get his belongings weighed to be able to provide the weight tickets. He requested an ETP to submit his reimbursement request without the weight tickets and to be reimbursed the correct amount for the move. The cost for the DITY moved was \$13,625.60 in mileage, \$3,800.00 in reimbursable expenses for a total of \$17,425.60. He was reimbursed in the amount of \$3,000.00 for a difference of \$14,425.60.

4. A review of the applicant's service record shows:

a. With prior Regular Army, U. S. Army Reserve (USAR) and ARNG enlisted service, on 17 December 2009, the applicant executed his oath of office and was appoints a second lieutenant as a Reserve commissioned officer in the California (CA) ARNG and was extended a temporary Federal recognition.

b. On 17 June 2010, Special Orders Number 130, issued by the National Guard Bureau (NGB), the applicant was initially appointed in the CA ARNG effective 17 December 2009.

c. During his service in the ARNG, the applicant was ordered to active duty for training and for supporting of Operation Enduring Freedom.

d. On 1 November 2012, the applicant executed his oath of office and was appointed in the Florida (FL) ARNG in the rank of first lieutenant and was extended a temporary Federal recognition.

e. On 10 December 2012, Special Orders Number 418, issued by the NGB, the applicant was transferred from the CA ARNG to the FL ARNG effective 1 November 2012 and was extended a federal recognition.

f. On 7 May 2014, Orders Number NG14-127-001, issued by the NGB, the applicant was ordered to active duty for operational support – Reserve component (ADOS-RC) effective 6 May 2014 with duty in Arlington, VA at the U. S. ARNG Readiness Center.

g. On 8 May 2014, the applicant declined SGLI coverage.

h. On 15 May 2015, Orders Number 135-012, issued by the FL National Guard, the applicant was honorably released from the ARNG and assigned to the USAR Control Group (Individual Ready Reserve) effective 6 May 2014.

i. The applicant's service record is void of evidence of his reassignment back to the ARNG.

j. On 29 September 2014, Special Orders Number 269, issued by the NGB, the applicant was transferred from the FL ARNG to the Virginia (VA) ARNG effective 13 August 2014.

k. On 26 August 2015, Orders Number NG-5238-00001, issued by the NGB, the applicant was ordered to ADOS-RC effective 1 October 2015. with duty in Arlington, VA at the U. S. ARNG Readiness Center.

l. On 6 September 2016, Orders Number NG-6250-00034, issued by the NGB, the applicant was ordered to ADOS-RC effective 1 October 2016. with duty in Arlington, VA at the U. S. ARNG Readiness Center.

m. On 9 August 2018, the applicant requested SGLI coverage in the amount of \$400,00.00 with Family SGLI in the amount of \$100,000.00.

n. On 25 January 2019, the applicant declined SGLI and Family SGLI coverage to be effective 1 February 2019.

o. On 28 May 2021, the applicant was honorably discharged from the ARNG by Secretarial Authority. DD Form 214 shows the applicant completed 7-years and 23-days of active service and was separated from Fort Myer Transition Center, VA.

p. NGB Form 22 (NGB Report of Separation and Record of Service) shows the applicant resigned in lieu of elimination.

q. On 28 May 2021, Special Orders Number 278, issued by the NGB, the applicant's Federal recognition was withdrawn effective 28 May 2021.

5. The applicant provides:

a. SGLV Form 8286 dated 25 January 2019, discussed in paragraph 4, above.

b. JUMPS LES from 1 January 2019 through 31 May 2021 shows the applicant had premiums for SGLI coverage in the amount of \$400,00.00 and Family SGLI coverage in the amount of \$100,00.00 deducted from his pay.

c. JUMPS LES for the period of 1 through 31 January 2021 shows a miscellaneous debt in the amount of \$157.29 a total debt in the amount of \$1,887.44 with a balance of \$1,730.15. The indebtedness started on 7 January 2021.

d. JUMPS LES for the period of 1 through 28 February 2021 shows a miscellaneous debt in the amount of \$157.29 a total debt in the amount of \$1,887.44 with a balance of \$1,572.86.

e. JUMPS LES for the period of 1 through 31 March 2021 shows a miscellaneous debt in the amount of \$157.29 a total debt in the amount of \$1,887.44 with a balance of \$1,415.57.

f. JUMPS LES for the period of 1 through 30 April 2021 shows a miscellaneous debt in the amount of \$157.29 a total debt in the amount of \$1,887.44 with a balance of \$1,258.28.

g. JUMPS LES for the period of 1 through 31 May 2021 shows a miscellaneous debt in the amount of \$157.29 a total debt in the amount of \$1,887.44 with a balance of \$1,100.99.

h. SGLI payment spreadsheet which shows how much the applicant paid in SGLI and Family SGLI premiums for a total of \$835.05. Available for the Board to review.

i. DFAS claim ticket shows the applicant contacted DFAS on 9 July 2022 regarding the SGLI and Family SGLI premiums that were deducted from his pay after he declined coverage. He was advised by DFAS on 11 July 2022, if he believed he was a victim of an error or injustice which affects his military records, he could apply to the Army Board for Correction of Military Records (ABCMR). DFAS was not a decision-making entity.

j. DD Form 214 for service ending 28 May 2021 which shows the separation authority was Army Regulation 600-8-24 and a second DD Form 214 with the same end date shows a correction in the separation authority to read "To be Determined) in accordance with the ABCMR Docket Number AR20210013799 on 9 January 2024.

k. DD Form 1351-2 signed by the applicant on 29 October 2021 for PPM travel reimbursement which shows:

- Mileage in the amount of 876 miles from Fort Belvoir, VA to Panama City, FL
- Boxes and bubble wrap, \$300.00
- Two rental trucks, \$3,000.00
- Fuel for rental trucks, \$170.00
- Fuel for rental trucks, \$170.00
- Fuel for rental trucks, \$160.00
- Total expenses, \$3,800.00

l. DD Form 2278 dated 29 October 2021, application for DITY move to Panama City, FL which shows an estimated cost of \$13,625.60 which was not signed by the applicant nor the counselor. It does state that "no incentive will be paid without acceptable weight tickets and other required documents".

m. HQs and Service Battalion, HQs, U. S. Marine Corps Memorandum dated 15 December 2021, Subject: Reimbursement of Authorized/Actual Expenses in Care of CPT J-B- (the applicant) stated the applicant executed a PPM without receiving weight tickets which resulted in his submission for an ETP to HQs Department of the Army (HQDA) . He was approved for authorized/ actual expense reimbursement for contract expenses in the amount of \$3,000.00.

n. E-mail dated 16 December 2021, attached a copy of his certified PPM, if accurate he was to e-mail the documents directly to DFAS for processing. HQDA determined his reimbursement would be in the amount of \$3,000.00.

o. DD Form 827 signed by the applicant on 9 July 2022 requesting reimbursement for SGLI premiums deducted from his pay after he declined coverage.

p. DFAS claim ticket, on 23 January 2025, the applicant requested a refund of the SGLI premiums deducted from his pay from 25 January 2019 through 28 May 2021. Again, he was advised he would need to apply to the ABCMR.

q. E-mail from the applicant dated 23 January 2025, stated a General Officer Memorandum of Reprimand was removed from his records and the reason for separation was changed on his DD Form 214 to Secretarial Authority. He hoped in light of his improved service and separation status, the Board would consider in his favor.

r. Contract between the applicant and his siblings to assist him with the DITY move which states he would reimburse each of them \$1,500.00 in exchange for the use of their vehicles, trailers and time.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial 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 and available military records, the Board determined there is sufficient evidence to show the applicant's intent was to decline SGLI, with his submission of his SGLV Form on 25 January 2019; however, the premiums were deducted from his pay until his separation from the Army National Guard (ARNG) on 28 May 2021 for a total of 28-months in the amount of \$835.05. The Board agreed remission or cancellation of indebtedness to the Defense Finance and Accounting Service (DFAS) in the amount of \$835.05 for Service Member's Group Life Insurance (SGLI) is warranted.

2. However, the Board determined there is insufficient evidence to support the applicant's contentions for reconsideration of his previously requested for an exception to policy (ETP) to be fully reimbursed \$14,425.60 for a personally procured move (PPM), formerly referred to as a Do It Yourself (DITY) move. The Board found the applicant did not submit the required weight tickets for his Dity move in accordance with the regulatory guidance. The Board noted the applicant was approved for authorized/ actual expense reimbursement for contract expenses in the amount of \$3,000.00. Based on the preponderance of evidence the Board agreed, the applicant's contentions are without merit. Therefore, the Board granted partial relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

: : : GRANT FULL RELIEF

█ █ █ GRANT PARTIAL RELIEF

: : : GRANT FORMAL HEARING

: : : DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by remission or cancellation of indebtedness to the Defense Finance and Accounting Service (DFAS) in the amount of \$835.05 for Service Member's Group Life Insurance (SGLI) with recoupment of the funds paid into the account.

2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to reconsideration of his previously requested for an exception to policy (ETP) to be fully reimbursed \$14,425.60 for a personally procured move (PPM), formerly referred to as a Do It Yourself (DITY) move.

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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. Title 10, U.S. Code, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to

timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.

2. Army Regulation (AR) 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 may, in its discretion, hold a hearing or request additional evidence or opinions. Additionally, it states in paragraph 2-11 that applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

3. The JTR is the basic statutory regulation governing a Uniformed Member's travel and transportation at Government expense and has the force and effect of law under the authority of Title 37, USC, section 481. Paragraph 051502 (Personally Procured HHG Transportation), paragraph C (Government-Procured Transportation is Available but not Used), subparagraph 5 states, if weight certificates are not provided, then reimbursement is authorized for a rental vehicle and equipment, packing materials, plus fuel, tolls and any storage in transit, up to the Government's constructed cost.

4. Department of the Army Pamphlet 55-2 (It's Your Move) provides guidance on PPM. It states the PPM program is an alternate means of moving personal property. The program allows a service member to personally move HHG and either be reimbursed up to the Government's cost or to collect an incentive payment from the Government when they have orders for a PCS, temporary duty, separation, or retirement. Whether a personally owned conveyance, rental vehicle, hired commercial carrier, Government HHG shipment, or a combination of the above options are used to perform a PPM, the PPM reimbursement is equal to 95 percent of the Government's constructed cost. The Personal Property/Transportation Office must provide counseling and prior approval for a PPM move. Failing to comply with Service requirements of the program may limit payment or result in complete denial of a claim.

5. Army Regulation (AR) 600-4 (Remission or Cancellation of Indebtedness) provides policy and instructions for submitting and processing packets for remission or cancellation of indebtedness to the U.S. Army. Requests for remission or cancellation of indebtedness must be based on injustice, hardship, or both. A Soldier's debt to the U.S. Army may be remitted or canceled based on this regulation in cases arising from debts incurred while serving on active duty or in an active status as a Soldier.

6. Department of Defense Financial Management Regulation 7000.14-R, Volume 7a (Military Pay), chapter 47 (Servicemembers Group Life Insurance (SGLI) Program), Members who receive basic pay for one or more days per month are responsible for SGLI premiums unless they waive coverage.

a. Paragraph 470301, effective 6 April 1991, this program automatically insures eligible members against death in the amount of \$100,000.00 when the member is performing active duty or active duty for training for an ordered period of more than 30-days. All Selected Reservists and any other Ready Reserve members who are assigned or attached to a unit or position that may require performing active duty or active duty for training and that will require at least 12 scheduled periods of inactive duty for training annually are also covered full-time (includes but is not limited to training and retired categories A, B, C, D, F, H, L, P, Q, T, and U). Members may elect basic coverage for an amount less than \$100,000.00, in \$10,000.00 increments, or may elect to waive coverage.

b. Paragraph 4707 (Deductions (SGLI Premiums)), when a member is in a status referred to in section 4703 (eligible for full-time coverage), the monthly deduction (effective 1 July 1994) is \$.90 for each \$10,000.00 of coverage. The deduction will be made even though the member may have paid the yearly premium as a Reservist covered on a part time basis. Monthly deductions are not prorated for partial months of service. Deduct the full month's premium for any month in which a member is covered for at least one day. During months in which coverage amounts change, deduct the full month's premium for the higher coverage rate. When a member is required to perform duty then the effective date of and SGLI deduction enters such duty coverage is the first day of entry on such duty maximum basic coverage is automatically in effect until the member elects reduced coverage or waives coverage.

c. Paragraph 4708 (Refunds), refunds will not be made of amounts deducted before the effective date of any election for reduced or waived coverage. When a request for reinstatement of coverage or for increased coverage is rejected by the Office of Servicemen's Group Life Insurance (OSGLI), any increase in premiums withheld pending OSGLI rejection will be credited to the member's pay account.

d. Paragraph 471208 (Termination of Coverage), on the earliest date of 120-days after the: 1. Date of the member's death, 2. Date of termination of the insurance on the member's life or 3. Member separates from the Service.

//NOTHING FOLLOWS//