ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [redacted]

BOARD DATE: 10 June 2025

DOCKET NUMBER: AR20240009376

APPLICANT REQUESTS:

- Reinstatement of her expired transportation entitlements for Household Goods (HHG) shipment
- A personal appearance before the Board

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

- DD Form 149 (Application for Correction of Military Record)
- Self-authored statement
- Orders Number 138-1316, dated 18 May 2018 to be addressed in the service record below
- Medical record showing she was suffering from chronic stress due to prolonged grief of the traumatic death of her fiancé and was diagnosed with complex Bereavement and Post-Traumatic Stress Disorder (PTSD)
- Office of the Deputy Chief of Staff, G-4, Denial email showing she had requested reinstatement of her HHG benefit and was denied with referral to the Board

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.

2. The applicant states, in part:

- She had extenuating circumstances that warrant consideration for reinstatement of her HHG shipment
- In June 2018 her fiancé was killed suddenly, violently, and unexpectedly in a bear attack while out for a walk
- This tragic loss occurred while she was in preparation for retirement, moving back to Alaska, the birth of their child, planning the marriage, and planning life together after being apart from professional commitments

- The profound grief she experienced, coupled with the challenges of sole parenthood, significantly impacted her cognitive functions and ability to function during this period and are documented by her mental health counselor
- It was not until July 2024 when she inquired about HHG shipment that she became aware that her benefit had expired, and she was supposed to complete the extension paperwork each year
- Had she understood this at the time of retirement she would have ensured the documents were completed timely
- From the circumstances described, she had difficulty comprehending all requirements at the time of her out processing and should not have that held against her in the interest of justice and equity

3. A review of the applicant's service record reflects the following:

- On 31 May 1997, she accepted a Reserve commission and executed an oath of office
- Order Number 60-5-A-83, dated 11 November 2005 was issued for appointment in the Regular Army in the Judge Advocate General Corps
- Orders number 138-1316, dated 18 May 2018 was issued for reassignment for separation processing and honorable retirement, effective 28 February 2019
- On 18 May 2018, Orders Number 138-1316 reassigned the applicant to the Fort Leonard Wood transition center; these orders state she had up to one year to select a home and complete travel
- DD Form 214 (Certificate of Release or Discharge from Active Duty), ending 28 February 2019 reflects an honorable retirement for sufficient service for retirement; item 12 (Record of Service) shows service from 31 May 1997 to 28 February 2019 for a net active service this period of 21 years and 9 months.

4. On 20 May 2025, the Office of the Deputy Chief of Staff, G-4, Chief, Transportation Policy Division, provided an advisory opinion recommending approval of the applicant's request stating, in part:

a. The Joint Travel Regulations (JTR) is the basic statutory regulation governing a uniformed member's travel and transportation allowances at Government expense and has the force and effect of law issued primarily under the authority of Title 37 United States Code Section 481.

b. The following JTR requirement was in effect for all retirement orders with a retirement date prior to 24 June 2022. JTR paragraph 051003-11, Time Limitations for Travel to the Home of Selection (HOS). A Service member and dependents must begin travel to an HOS within 1- year of the Service member's termination from active duty unless additional time is authorized or approved. JTR paragraph 052013, HHG

Transportation in Connection with Retirement, B. Time Limits. HHG must be turned over for transportation within 1-year following active-duty termination.

c. The applicant has provided medical documentation from her physician, attesting that she has a mental health condition of complex bereavement and PTSD. Her physician advises her condition is due to the death of her intended husband and ongoing traumatic experiences in the following months. The experiences have brought on complex grief and severe PTSD. Her grief can often lead to "brain fog" characterized by confusion, forgetfulness, and difficulty concentrating.

d. This office recommends that the Board approve all extensions for the periods 2020, 2021, 2022, 2023, 2024, and the final one for 2025. Paragraph 051003.2.b states; the 6-year limit may only be extended for travel and transportation entitlement to the HOS if a service member has a certified and on-going medical condition which is the case of the applicant. Her final extension will be granted through 28 February 2026.

5. On 27 May 2025, the applicant was provided with a copy of the advisory opinion and afforded an opportunity to respond.

BOARD DISCUSSION:

1. 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 review based on law, policy, and regulation. The Board concurred with the Deputy Chief of Staff, G-4 memorandum recommending reinstatement of the applicant’s expired transportation entitlement for HHG shipment based on medical documentation from her physician. The Board unanimously granted relief.

2. The applicant’s request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

BOARD VOTE:

Mbr 1	Mbr 2	Mbr 3	
:XX	:XX	:XX	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 by reinstating the transportation entitlement for HHG shipment.

X //signed//

CHAIRPERSON

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. JTR paragraph 051003-11 (Time Limitations for Travel to the Home of Selection (HOS)). A Service member and dependents must begin travel to an HOS within 1-year of the Service member's termination from active duty unless additional time is authorized or approved. Section 052013 C1 (HHG Transportation in Connection with Retirement) states a Service member is authorized HHG transportation from the last permanent duty station to the Service Member's Home of Selection (HOS). Extensions may be granted through the Secretarial process for an unexpected event beyond the Service member's control that occurs and that prevents him or her from moving to the HOS within the specified time limit. 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.

3. Army Regulation 15-185 (Army Board for Correction of Military Records (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.

//NOTHING FOLLOWS//