



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

LCC:ddj
Docket No: 7331-01
27 November 2001

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 27 November 2001. 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, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CMC memorandum 4050.1M LFT 3 WC of 19 October 2001, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously 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,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
2 NAVY ANNEX
WASHINGTON, DC 20380-1775

IN REPLY REFER TO:
4050.1M
LFT-3-WC
19 Oct 01

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION
OF NAVAL RECORDS

Subj: PETITION OF WARRANT OFFICER 1 [REDACTED]
4 [REDACTED]

Ref: (a) Joint Federal Travel Regulations (JFTR)

1. Warrant Officer 1 [REDACTED] transferred from Cherry Point, North Carolina to Bahrain in 1999. The Marine's orders were modified, by his Admin Unit, authorizing shipment and storage of privately owned vehicles.

2. The JFTR, paragraph U5800 states that storage of a privately owned vehicle (POV) is in lieu of shipping a POV. A Marine with valid permanent change of station orders (PCS), assigning him to an overseas duty station, is authorized to store a POV if the overseas country doesn't allow the importation of POVs. The JFTR prohibits shipment and storage of multiple POVs.

3. Had the Marine provided his PCS order and all modifications to the Traffic Management Office (TMO) at Cherry Point he would have been advised that he wasn't authorized to ship and store a POV. The TMO, when authorizing an individual to store a POV, provides the Marine with a letter authorizing the Marine to be reimbursed for POV storage.

4. This Headquarters cannot approve reimbursement to Warrant Officer 1 Messer, as shipping and storing a POV is in direct violation of the JFTR, which is law. The Marine's Admin Unit at Cherry Point erred in modifying the Marine's orders to include shipment and storage of POVs. We are unable to recommend a favorable determination of this case.

[REDACTED]

By direction