



**DEPARTMENT OF THE NAVY**  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

██████████  
Docket No. 10625-23  
Ref: Signature Date

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Dear ████████████████████,

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 21 May 2024. The names and votes of the members of the panel will be furnished upon request. 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, relevant portions of your naval record and applicable statutes, regulations, and policies. In addition, the Board considered the advisory opinion contained in Commander, Naval Supply Systems Command (NAVSUP) letter 5420 Ser SUP 04/020 of 8 February 2024, which was previously provided to you for comment.

On 22 January 2019, you were issued official retirement orders (BUPERS order: ██████████) while stationed in ██████████, ██████████, ██████████ with an effective date of departure of February 2019 from Duty. Your intermediate (01) activity was ██████████, ██████████, ██████████ for temporary duty pending separation with an effective date of arrival of 9 February 2019. Home of selection: ██████████, ██████████ with an effective date of retirement 1 June 2019, and on 28 January 2019, you were issued official modification to your retirement orders with an effective date of arrival of 2 February 2019.

You were retired with an honorable character of service and were issued a DD Form 214, Certificate of Release or Discharge from Active Duty for the period of 20 September 1988 to 31 May 2019 upon having sufficient service for retirement.

On 8 November 2023, NAVSUP, Fleet Logistics Center Norfolk notified you that, “[o]ur records show that your 2021 move from ██████████, ██████████ to ██████████, ██████████ exceeded your authorized weight allowance of 15,000 lbs. authorized by Paragraph 051306 A of the Joint Travel regulations [JTR]. You exceeded your entitlement by 1,613 lbs. resulting in an excess cost of \$2,751.77.”

On 17 May 2024, Personal Property Transportation Audit System listed the following audit results (i.e., calculate government obligation GBL-dHHG-1 Invoice \$31,185.63, government obligation \$31,185.63, calculate entitlement result GBL-dHHG-1 excess weight -\$2,011.37, entitlement result -\$2,011.37, calculate amount due entitlement result -\$2,011.37, previous collections \$2,751.77, amount due \$740.40, calculate taxable income entitlement result -\$2,011.37, taxable income \$0.00, federal tax rate X 25%, federal tax amount \$0.00, calculate member payment amount due \$740.40, federal tax withheld -\$0.00, no state tax was withheld, member payment \$740.40).

You requested relief in the amount of \$2,751.77 for excess weight of your household goods (HHG) for your final move to your home of record. Additionally, you requested reimbursement for driving across country with two vehicles loaded with HHG. The Board in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that there was no deduction for military items, that packing materials were underestimated, and that no reweigh was conducted. However, the Board concluded that NAVSUP reviewed your claim and concluded that the transportation service provider submitted the proper weight tickets, conducted a reweigh, and billed at the lower weight. Additionally, NAVSUP worked with you to identify the professional books, papers, and equipment from your inventory sheets and asked for a reaudit. The reaudit resulted in a credit of 434 pounds which lowered your excess cost debt accordingly. The Board determined that in accordance with the JTR,<sup>1</sup> you are responsible for the cost to ship any excess weight. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Finally, because your HHG shipment was overweight, the Board could not justify reimbursement for any additional items you transported in your vehicles. The Board recommended that you submit a Remission of Indebtedness (DD Form 2789) to the Chief of Naval Operations (OPNAV N130C) if the debt creates a financial hardship.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

5/26/2024

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<sup>1</sup> In accordance with the JTR, the Government may pay the total transportation cost and other applicable charges for any weight that exceeds the weight allowance. The Government must collect the excess costs from the service member. A member must repay the service for the cost of transporting his or her HHG in excess of the specified weight allowance, unless there is specific authorization for an increased weight allowance, limited to 18,000 pounds. All transportation costs are included in determining excess costs, such as storage, accessorial services, and any other costs that the Government paid to move the HHG. When it is known or suspected that a member will exceed the maximum weight allowance before transportation, the Transportation Officer should notify the member and the office paying for the transportation. The member is financially responsible for the excess weight charges even if the Transportation Officer did not notify the member or the AO providing transportation funds of the known or suspected excess weight status before transportation (CBCA 2076-RELO, October 5, 2010).