



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

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Docket No. 10702-23  
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 March 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 letter 5420 Ser SUP 04/018 of 26 February 2024 and your response to the opinion.

In accordance with The Joint Travel Regulations (JTR), 052901 a privately owned vehicle (POV) may be transported within Continental United States (CONUS), when authorized, when an order has been received for either of the following: 1. An authorized change in ship's home port, or 2. A permanent change of station (PCS) between CONUS permanent duty stations (PDS) and the Service member is physically unable to drive or has insufficient time to drive and report to the PDS as ordered. A dependent's inability to drive does not satisfy this criteria.

052902. Shipment of a POV by the Service Member. A Service member with dependents, who are relocating due to PCS orders in CONUS, may be authorized to transport a POV. A Service member is not authorized reimbursement to ship a POV if he or she has no dependents or has dependents who are either ineligible for transportation at Government expense or are not being relocated as a result of the Service member's PCS.

Table 5-63 Shipment of a POV by the Service Member states: A Service member with eligible dependent are relocating between PDSs in the CONUS and must meet all of the following conditions: a. The dependent is eligible for transportation at Government expense and relocates with the Service member. b. The Service member or his or her eligible dependent owns more than one POV that must be relocated. c. The Service member and all of his or her dependents travel at one time in one POV.

SHIPMENT OF A POV OCONUS. 053001. Authorized Shipment of a POV at Government Expense. A Service member on a PCS order to or from a PDS outside the CONUS (OCONUS) is authorized to ship one POV unless restricted by the AO or Service regulations.

Location Points Authorized for POV Transportation. POV shipment may be authorized even if the POV can be driven between PDSs OCONUS. The Service member or a dependent may be authorized POV transportation for his or her use when either a change in a ship's home port is authorized or the Service member is ordered on a PCS between any of the following locations: a. From a PDS in the CONUS to a PDS OCONUS. b. Between two PDSs OCONUS. c. From a PDS OCONUS to a PDS in the CONUS.

Table 5-64 Types of Transportation Used for Shipping a POV OCONUS at Government Expense states that authorized transportation includes: b. Personally procured transportation only when the Service member has not transported a POV at Government expense on the current PCS order and the POV was shipped based on erroneous advice of a government representative. The reimbursement is limited to what the transportation would have cost had the POV been transported by the Government.

Port or Vehicle-Processing Center (VPC) Used. The Service concerned designates the ports or VPCs used. In the absence of a designation, the port or VPC serving the origin point and the port or VPC serving the new PDS, █ and any port in between the old and new PDS are the authorized loading and unloading points for a POV.

When POV transportation is authorized, one POV NTE 20 measurement tons may be transported from the POV port/VPC serving the old PDS or a POV port/VPC serving the passenger Port of Debarkation or any POV port/VPC in between the old and new PDS to the: (1) POV unloading port/VPC serving the new PDS; (2) POV unloading port/VPC serving another authorized place; (3) New PDS if authorized/approved by the Secretarial Process for locations requiring approval.

A POV may be shipped between ports or VPCs other than those designated by the Service concerned on the condition that the Service member reimburses the Government for all excess costs involved. (1) Alternate ports or VPCs OCONUS should be in the same country as the designated port or VPC. (2) Alternate ports or VPCs in a different country must be authorized or approved through the Secretarial Process. A Service member is not required to go through the Secretarial Process when he or she selects an alternate port in the CONUS to ship a POV, even if the primary port or VPC is OCONUS.

On 27 March 2023, you were issued official change duty orders (BUPERS order: 0863) with required obligated service to October 2026, while stationed in █ with an effective date of departure of September 2023. Your ultimate activity was █ for duty with an effective date of arrival of 15 October 2023 with a projected rotation date (PRD) of October 2026.

On 26 September 2023, you were issued official modification to change duty orders (BUPERS order: 0863) with required obligated service to October 2026, while stationed in █ with an effective date of departure of September 2023. Your ultimate activity was █ for duty with an effective date of arrival of 15 October 2023 with a PRD of October 2026. This transfer funded for member and

authorized dependents as reflected on service record page two and other supporting documents. Per JTR chapter 5, dependents acquired on or prior to the effective date of orders are authorized travel/transportation allowances from the place at which acquired to the new PDS, up to the travel/transportation entitlement for travel from old PDS to the new PDS.

On 10 October 2023, you transferred from ██████████, and arrived to ██████████ on 12 October 2023 for duty.

On 12 October 2023, Supervisor, Counseling Branch, Joint Personal Property Shipping Office-Mid Atlantic notified you that, "I finally heard back from NAVSUP. They denied authorization to ship to ██████████ (alternate location) versus ██████████ (authorized location). Unlike Household Goods (HHG) allowances which represent a specific entitlement where the customer may elect to ship to from or between alternate locations limited in cost to what the orders authorized, POV allowances are not an "Entitlement" but rather a discretionary allowance. Whereas the service member has a discretionary allowance which can be exercised to ship a POV to their new duty location in ██████████, they may not elect to ship to a different country than that authorization permits. In order to qualify for shipment of a POV within CONUS they must meet the requirements of JTR 0529: homeport change riding the vessel, shipping between PDS due to medical restrictions or insufficient time to drive. The service member orders do not meet this requirement."

On 31 October 2023, NAVSUP Headquarters ██████████ notified you that, "[y]our request to allow your POV to be shipped within the CONUS has been denied by N130, there is no entitlement to ship a POV within the CONUS based on your PCS orders. Your POV Shipment entitlement is for a shipment from a PDS in CONUS to a PDS OCONUS.

JTR Paragraph 053001.B.1. provides the authorized points of shipment for POV transportation when a service member is on PCS orders to or from PDS OCONUS. a. From a PDS in the CONUS to a PDS OCONUS. b. Between two PDSs OCONUS. c. From a PDS OCONUS to a PDS in the CONUS.

I acknowledge the fact that you can select Alternate VPC/Ports to use to ship your POV, but the two VPC/ports must align to the requirements of JTR 053001.B.1."

On 1 November 2023, you notified ██████████ that, "I have been denied for several weeks for this request, my wife is waiting to join me at my Duty Station. I have not received any explanation based on Joint Travel Regulations on why I am unable to initiate this shipment. I have had HHG members send me random quotes from the JTR. You yourself have sent me a JTR quote confirming that I AM authorized to ship a vehicle. I intend to begin initiating the following by the end of the week unless you either provide me specific references from the JTR outlining why this isn't approved, or initiate the vehicle shipment request: ICE complaint, Naval IG complaint and BCNR to recoup costs once the shipment is complete...."

On 6 November 2023, ██████████ Transport issued an Order ██████████ 3 Invoice for \$11,000. The following information was listed: First available pickup date was 5 November 2023, estimate pickup date (not later than) 9 November 2023, estimate delivery date (not later than) 14 November 2023, from ██████████ to ██████████ 91962.

On 9 November 2023, NAVSUP Headquarters █ notified you that, “[p]er our discussion this office carefully reviewed your complaint, conducted an inquiry into the details of your complaint. After consulting with HHG Office, who inquired into the status of your HHG move, specifically the matter involving moving your vehicle. The HHG Office additionally contacted the OPNAV N130C Office to ensure the issues you brought forth were in-line with current policy, which they were. However, per your request I have attached a word document that included the response from the HHG Office and who to contact at OPNAV N130C Office along with the process to request a change to policy. At this time the NAVSUP IG Office is closing this case and taking no further action.”

You requested reimbursement of \$1100.00 for the shipment of a vehicle during a PCS and an investigation into frequency of this occurrence of denials by Navy HHG and NAVSUP, the Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. On 26 September 2023, you were issued official modification to BUPERS order: 0863 from █ to █. Your dependent was authorized to travel with you and in accordance with your 1 November 2023 email, she apparently did not travel with you. In accordance with JTR, a POV may be transported within CONUS, when authorized, when an order has been received for either of the following: 1. An authorized change in ship’s home port, or 2. A PCS between CONUS PDSs and the Service member is physically unable to drive or has insufficient time to drive and report to the PDS as ordered. The Board concluded that you do not meet this criteria. BUPERS order: 0863 were accompanied PCS orders to a PDS OCONUS. Furthermore, two days after you detached from your prior command, you were denied authorization to ship your vehicle to California. You were informed that you were eligible to ship your vehicle to your PDS OCONUS, per your orders and that shipping a POV to an alternate location within CONUS was not permitted, which was explained very clearly. You arranged shipment of your POV on 6 November 2023. The Board determined that the JTR only allows shipment of a POV at government expense within CONUS under specific circumstances, which you did not meet. Because you shipped your vehicle without authorization, the Board determined that you are not entitled to reimbursement and that no change to your record is warranted. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

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,

4/5/2024

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