



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

█
Docket No. 383-24
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO █

Ref: (a) Title 10 U.S.C. § 1552
(b) The Joint Travel Regulation (JTR)

Encl: (1) DD Form 149 w/attachments
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to show Petitioner was reimbursed for his Personally Procured Move of Household Goods (HHG) shipment.

2. The Board, consisting of █ reviewed Petitioner's allegations of error and injustice on 6 June 2024 and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies.

3. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. PODS issued Petitioner a Change Order Confirmation with an Original Order Date of 2 February 2023.

b. On 23 August 2023, Petitioner was issued official change duty orders (BUPERS order: 2353) with required obligated service to December 2027, while stationed in █ with an effective date of departure of September 2023. Petitioner's intermediate (01) activity was █ for temporary duty with an effective date of arrival of 23 September 2023. Petitioner's ultimate activity was █ for duty with an effective date of arrival of 30 December 2023 with a projected rotation date (PRD) of December 2027. This transfer funded for member and authorized dependents as reflected on service record page two and other supporting documents.

On 26 October 2023, Petitioner was issued official modification to change duty orders (BUPERS order: █ with an ultimate activity as █ for duty with an effective date of arrival of 1 November 2023 with a PRD of December 2027. The transfer funded for member and authorized dependents as reflected on service record page two and other supporting documents.

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c. On 22 September 2023, Petitioner transferred from [REDACTED], and arrived to [REDACTED] on 30 September 2023 for temporary duty, and transferred on 1 November 2023 and arrived to [REDACTED] on 1 November 2023 for duty.

d. On 2 November 2023, Petitioner signed an Application for Personally Procured Move and Counseling Checklist (DD Form 2278) listing a move from [REDACTED] with a maximum authorized weight of 11,000 lbs. and Estimated Government Constructive Cost of \$28,829.87. It was certified by a counselor on 6 September 2023.

e. On 8 November 2023, NAVSUP Fleet Logistics Center Norfolk notified Petitioner that “Paragraph 051302 A of the Joint Travel Regulation states that transportation of HHGs at government expenses prior to the issuance of permanent change of station orders is not authorized. Exception is made when the order issuing authority (Navy Military Personnel Command) or member designated representative provides a written statement that orders are forthcoming, and shipment may be prior to the official issuance of orders.

A review of the documentation supporting the claim shows that you initiated shipment of your HHGs on 2 April 2023 prior to the 23 August 2023 issue date of your orders. Since shipment was made prior to the issuance of orders, this office has no legal basis to permit payment of your claim.”

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded per reference (b) HHG allowances are based on the when orders are effective and certain criteria must be met in order to execute HHG transportation before an order is issued. The Board determined that Petitioner did not provide evidence why he had reason to believe that his forthcoming Permanent Change of Station orders would be to [REDACTED], however BUPERS order: 2353 states that transfer is funded for member and authorized dependents to his ultimate permanent duty station in [REDACTED]. Because Petitioner moved his family to the permanent duty station listed in BUPERS order: 2353, relief is warranted.

RECOMMENDATION

That Petitioner’s naval record be corrected, where appropriate, to show that:

Petitioner’s official change duty orders (BUPERS order: 2353) were issued on “2 February 2023” vice “23 August 2023.”

That a copy of this report of proceedings will be filed in Petitioner’s naval record.

4. It is certified that a quorum was present at the Board’s review and deliberations, and that the foregoing is a true and complete record of the Board’s proceedings in the above titled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and

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having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of the reference, has been approved by the Board on behalf of the Secretary of the Navy.

6/24/2024

