



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

[REDACTED]
Docket No. 1319-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]

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 (PPM).

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 20 February 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. On 17 August 2021, Petitioner submitted a Leave Request/Authorization (NAVCOMPT Form 3065) requesting separation/retirement leave for the period of 1 November 2021 to 12 December 2021. Petitioner's request was approved on 20 September 2021.

b. In October 2021, PODS issued a receipt with a service date of 2 November 2021 to 1 December 2021 and a unit price total of \$1,056.95.

c. Petitioner was released from active duty and transferred to the Navy Reserve with an Honorable character of service and was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 13 December 2017 to 12 December 2021 upon completion of required active service. The DD Form 214 was signed by Official Authorized to sign on 19 January 2022.

d. On 21 December 2021, you were issued official separation orders (BUPERS order: 3551) while stationed in [REDACTED] with an effective date of departure of December 2021. Petitioner's place elected for travel was [REDACTED] with an effective date of separation of 22 December 2021.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]

e. On 28 March 2022, NAVSUP Fleet Logistics Center [REDACTED] notified Petitioner that, “Paragraph 051302 A of the Joint Travel Regulation states that transportation of household goods (HHG) 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 HHG on 02 Nov 2021 prior to the 21 Dec 2021 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 reference (b) and 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. On 17 August 2021, Petitioner submitted NAVCOMPT Form 3065 requesting separation/retirement leave for the period of 1 November 2021 to 12 December 2021 and it was approved on 20 September 2021; therefore, Petitioner had reason to believe that official separation orders would be forthcoming. Furthermore, Petitioner received his separation orders after his release from active duty. The date of issuance on the PODS receipt in October 2021 is unreadable, however the Board determined that changing the orders date to 19 October 2021 would be more advantageous to Petitioner than the requested 1 November 2021 date.

RECOMMENDATION

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

Petitioner’s official separation orders (BUPERS order: 3551) were issued on “19 October 2021” vice “21 December 2021.”

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-entitled 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 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.

2/27/2024

