



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

[REDACTED]
Docket No. 4957-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN,
XXX-XX-[REDACTED]

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

Encl: (1) DD Form 149 w/attachments
(2) Petitioner'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], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 7 May 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 8 August 2023, [REDACTED] Weighmaster certificate was issued at [REDACTED] with Gross/Tare weight of 53,940 lbs./45,020 lbs.

b. On 6 October 2023, Petitioner was issued official change duty orders (BUPERS order: 2793) while stationed in [REDACTED] with an effective date of departure of February 2024. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of March 2024 with a projected rotation date (PRD) of March 2027. This transfer funded for member and authorized dependents as reflected on service record two.

c. On 22 January 2024, Petitioner was issued official modification to change duty orders (BUPERS order: 2793) while stationed in [REDACTED] with an effective

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date of departure of April 2024. Petitioner's ultimate activity was [REDACTED]
[REDACTED] for duty with an effective date of arrival of May 2024 with a PRD of May 2027.

d. On 15 February 2024, Petitioner was issued official modification to change duty orders (BUPERS order: 2793) while stationed in [REDACTED] with an effective date of departure of March 2024. Petitioner's ultimate activity was [REDACTED]
[REDACTED] for duty with an effective date of arrival of April 2024 with a PRD of April 2027.

e. On 25 April 2024, Commander, Navy Personnel Command notified Petitioner that Orders are being prepared to detach him in March 2024 from Commanding Officer, [REDACTED]
[REDACTED] to report to [REDACTED] in April 2024. In part stating that, "[t]his letter is provided to facilitate timely arrangement of some administrative and personal requirements associated with your move. Specifically, this letter allows you (or your current command) to initiate, as needed, Overseas Screening, Sea Duty Screening, Dependent Entry Approval, Passports, and Security Clearance requests for you and your authorized dependents. You may use this letter to notify housing and childcare facilities at your ultimate duty station of your pending arrival; however, your position on associated waiting lists will still be subject to appropriate local guidance. This planned assignment is still subject to change; therefore, you should not make any irrevocable commitments prior to your receipt of official PCS orders.

No accounting data is provided with this letter and there is no authority to obligate funds until written orders are received. This letter does not authorize movement of household goods or privately owned vehicles. Personnel Support Detachments are not authorized to issue travel documents/tickets, and the member (or their agent) is not authorized to incur indebtedness to the government."

f. On 25 April 2024, NAVSUP Fleet Logistics Center Norfolk notified Petitioner that, "[p]aragraph 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 8 Aug 2023 prior to the 6 October 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 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 when orders are effective and certain criteria must be met in order to execute HHG transportation before an order is issued. Petitioner moved his HHG to the anticipated new PDS prior to the issuance of BUPERS order: 2793. Although he moved his

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HHG prior to the issuance of his orders, BUPERS order: 2793 did specify the same PDS and his orders authorized a HHG shipment and transportation of his dependents, therefore the Board determined that relief is warranted.

RECOMMENDATION

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

Petitioner's official change duty orders (BUPERS order: 2793) were issued on 7 August 2023 vice 6 October 2023.

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.

5/20/2024

[REDACTED]

Deputy Director

Signed by: [REDACTED]