



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

█
Docket No. 5031-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO █
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Ref: (a) Title 10 U.S.C. § 1552
(b) MILPERSMAN 1320-308, 20 May 07
(c) 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 he was reimbursed for dependent airfare.
2. The Board, consisting of █ 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 19 May 2023, Petitioner transferred from █, and arrived to █ on 30 May 2023 for duty.
 - b. On 8 March 2024, Petitioner was issued an eTicket Itinerary for spouse and three children departing on 15 March 2024 from █ and arriving to █ on 16 March 2024. Total per passenger is \$1,404.09 with a total: \$5,616.36.
 - c. On 18 March 2024, Petitioner was issued official separation orders (BUPERS order: 0784) while stationed in █, █ with an effective date of departure of March 2024. Petitioner's intermediate (01) activity was █ for temporary duty – pending separation with an effective date of arrival of 20 March 2024. Petitioner's place elected for travel: Barrigada, GQ with an actual date of separation of 4 April 2024.
 - d. On 20 March 2024, Petitioner transferred from █, and arrived to █ on 20 March 2024 for duty.

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e. On 28 March 2024, Petitioner was issued official modification to separation orders (BUPERS order: 0784) while stationed in [REDACTED] with an effective date of departure of March 2024. Petitioner's intermediate (01) activity was [REDACTED] for temporary duty – pending separation with an effective date of arrival of 20 March 2024. Petitioner's place elected for travel: [REDACTED] with an actual date of separation of 5 April 2024.

f. Petitioner was Discharged 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 19 February 2014 to 5 April 2024 due to condition, not a disability. DD Form 214 was signed by Official Authorized to Sign on 1 April 2024.

g. On 23 April 2024, Travel Voucher Summary (DO Voucher No. B8522) was prepared and paid on 25 April 2024 for the start date of 6 April 2024 and end date of 7 April 2024, and detach date of 20 March 2024 and report date of 7 April 2024. Advances/Prior Payments: \$0.0. Total Entitlement/Total Charged to Account Class/Total Amount Payable/Due Employee: \$93.00. Remarks listed the following: "Unable to pay dependents travel entitlements as dependents traveled before order issue date. If member received approval for dependent travel before receipt of orders need documentation from PERS."

h. N130C notified Petitioner via text message that, "Permanent Change of Station (PCS) orders (separation orders in this case) directs travel to, from, or between official points and serves as the basis for the trip and associated reimbursements. Travel and transportation allowances are payable only after valid orders are issued. Travel or expenses incurred before a travel authorization or order is issued are not reimbursable, unless otherwise stated in the JTR. Unfortunately, N130C is not able to assist, however if you believe there is an injustice, error in your record or case/ situation, a BCNR petition could be an option."

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that in accordance with reference (b), travel and transportation allowances are payable only after valid orders are issued and certain criteria must be met in order to execute transportation before an order is issued. Petitioner was preparing to separate due to a condition, not a disability, therefore Petitioner had reason to believe that official separation orders would be forthcoming. Furthermore, the Board determined that Petitioner's separation orders were not issued in a timely manner to allow Petitioner and dependents to transition out of the military. Petitioner's separation orders were issued on 18 March 2024 with a separation date of 4 April 2024. Petitioner personally obtained air transportation for his dependents and reference (b)¹ states that Navy policy requires official travel must be arranged by Navy Passenger Transportation Offices (NAVPTO), however reference (c)² states that transportation

¹ Reference (b), Transportation in Connection with PCS Orders. NAVPERSCOM, Career Management Department (PERS-4) does not direct a specific means or mode of transportation in connection with PCS orders. This authority has been delegated to NAVPTO which will determine the availability or nonavailability of government air and make complete transportation arrangements using commercial carriers as necessary to meet mission requirements. Navy policy requires official travel must be arranged by NAVPTO.

² Reference (c), travel and transportation allowances are payable only after valid orders are issued. The order directs travel to, from, or between official points and serves as the basis for the trip and associated reimbursements. A travel authorization or order should be issued before travel begins. Travel or expenses incurred before a travel authorization or order is issued are not

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allowances are for travel directly from the old Permanent Duty Station (PDS) to the new PDS, or between authorized locations in the JTR. Multiple options are available for arranging and paying for transportation which included personally procured commercial transportation, therefore the Board determined that Petitioner's request warrants relief.

RECOMMENDATION

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

Petitioner's official separation orders (BUPERS order: 0784) were issued on 7 March 2024 vice 18 March 2024.

NAVPTO approved Petitioner's use of personally procured commercial transportation in accordance with reference (c).

Note: Petitioner will submit a supplemental travel claim with all required documents to include a copy of this letter through appropriate administrative channels for reimbursement. Settlement of claim is chargeable to the line of accounting on the Petitioner's BUPERS order: 0784.

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



reimbursable, unless otherwise stated in the JTR. In unusual or urgent situations when travel must begin before a written authorization or order can be issued, a verbal authorization may be given. In such cases, the verbal authorization must be followed up in writing (called a "confirmatory order") before allowances are paid. A travel order may only contain authority for travel and transportation allowances provided within the JTR. If there is any conflict between a travel order and the JTR, the JTR prevails. Transportation allowances are for travel directly from the old PDS to the new PDS, or between authorized locations in the JTR. Multiple options are available for arranging and paying for transportation, subject to the limitations in this chapter. Use the actual amount, without rounding, when computing a monetary allowance in lieu of transportation. 1. Government transportation. 2. Government-procured commercial transportation. 3. Personally procured commercial transportation. 4. Privately owned transportation.