

DEPARTMENT OF THE NAVY

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

> Docket No. 8884-24 Ref: Signature Date



Dear

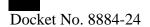
This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found 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 30 January 2025. 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 (NAVSUP) letter 5420 Ser SUP 04/113 of 3 November 2024, which was previously provided to you for comment.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

In accordance with the Joint Travel Regulations (JTR), the authorized PCS [Permanent Change of Station] weight allowance is normally determined by a Service member's pay grade on the effective date of the PCS order, and whether the Service member has dependents on the effective date of the PCS order. This section also covers circumstances when the PCS weight allowance is based on other factors.

Composition. Table 5-37 specifies the authorized weight allowances for a Service member. The weight allowance for a Service member authorized in this table is the total combined weight of any HHG shipped, plus any unaccompanied baggage shipped, and any HHG in storage. See PDT computation example 11.

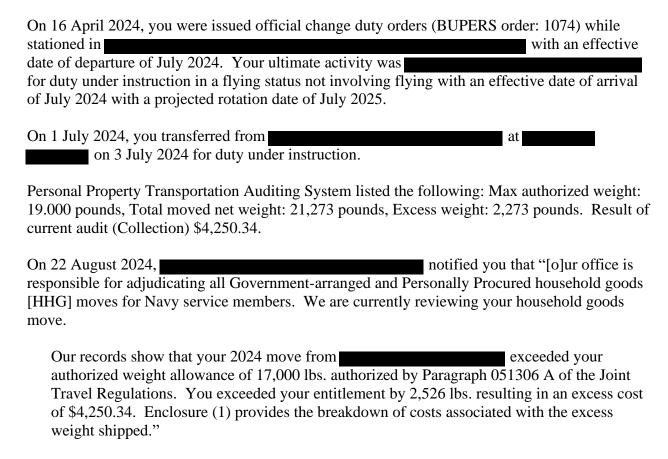


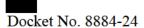
1. The weight of PBP&E [Professional Books, Papers & Equipment], required medical equipment, and gun safes are not included in the HHG weight allowance authorized. See par. 051304 for details on PBP&E, required medical equipment, and gun safes. 2. The weight of accompanied baggage or excess accompanied baggage is also not included in the authorized weight allowance.

The PCS Weight Allowance (Pounds) for O-4 with dependents id 17,000 pounds.

Higher Weight Allowances. Each Service will designate either the Secretary concerned or the Secretarial Process as the approval authority level to authorize a higher weight allowance than that authorized in Table 5-37. No general policy statements are permitted, and higher weight allowances will be authorized only on an individual basis. Any increase must meet all of the following requirements: 1. Must be authorized only for a Service member in the pay grade 0-5 or below. 2. Is limited to a total HHG weight of 18,000 pounds.

The Government may pay the total transportation cost and other applicable charges for any weight that exceeds the weight allowance. The Government must collect the excess costs from the Service member. Erroneous advice, or lack of advice, by a Government agent does not create an entitlement to reimbursement of, or shipment of HHG in excess of the weight allowed by statute. A Service member must repay the Service for the cost of transporting his or her HHG in excess of the specified weight allowance, unless there is specific authorization for an increased weight allowance, limited to 18,000 pounds.





On 29 January 2025, notified the Board that "[t]he TSP picked up the shipment 26 Jun 2024 and delivered it 05 Jul 2024."

You requested exception to HHG weight allowance and removal of debt due to exceeding your weight allowance of 17000 pounds during your HHG executed in July 2024. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded the transportation service provider submitted proper weight tickets, conducted a reweigh, and billed at the lower weight. The inventory sheets substantiated the weight billed and NAVSUP reviewed your PBP&E. The Navy HHG Audit Office properly credited you for 1,505 pounds for your PBP&E and 500 pounds for spousal PBP&E. You assert that the injustice of a weight restriction for rank does not take into account the service member's family size and the additional items these additional dependents require. The Board determined that the JTR does not differentiate between one dependent and seven for your rank, however you could have submitted a request for an increased weight limit through the Secretarial Process. The Board determined that there is no evidence that you submitted such a request prior to your move, and that if you had, an approval would have been limited to a maximum of 18,000 pounds. Therefore, the Board concluded that a change to your record is not warranted and that in accordance with the JTR, you are responsible for the remaining excess debt. 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.



