



Docket No. 10316-24
Ref: Signature Date

Dear [REDACTED],

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 11 March 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 04/134 of 7 December 2024, which was previously provided to you for comment.

On 6 October 2023, you were issued official change duty orders (BUPERS order: [REDACTED]) with required obligated service to July 2027, while stationed in [REDACTED] [REDACTED] with an effective date of departure of February 2024. Your intermediate (01) activity was [REDACTED] for temporary duty commissioning and fitting out with an effective date of arrival of 13 March 2024. Your intermediate (02) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 3 June 2024. Your ultimate activity was [REDACTED] for duty with an effective date of arrival of 20 August 2024 with a projected rotation date of July 2029.

Personal Property Transportation Audit System (PPTAS) listed the following audit results: Transactions. Max Authorized Wt.: 11,500 lbs. (includes 500 lbs. Professional Books, Papers & Equipment (PBP&E)), Total Moved Net Wt.: 12,434 lbs. (includes 500 lbs. PBP&E), and Excess Weight: 934 lbs. Total Excess Wt.: 1,038 lbs. Result of Current Audit. Collection \$1,617.68.

On 15 May 2024, NAVSUP Fleet Logistics Center Norfolk notified you that “[o]ur office is responsible for adjudicating all Government-arranged and Personally Procured household goods [HHG] moves for Navy service members. We are currently reviewing your household goods move.

Our records show that your 2024 move from ██████████ exceeded your authorized weight allowance of 11,000 lbs. authorized by Paragraph 051306 A of the Joint Travel Regulations. You exceeded your entitlement by 1,038 lbs. resulting in an excess cost of \$1,617.68. Enclosure (1) provides the breakdown of costs associated with the excess weight shipped.”

PPTAS listed the following audit results: Transactions. Max Authorized Wt.: 11,500 lbs. (includes 500 lbs. PBP&E), Total Moved Net Wt.: 12,384 lbs. (includes 500 lbs. PBP&E), and Excess Weight: 884 lbs. Total Excess Wt.: 982 lbs. Result of Current Audit. Collection \$1,536.66. Payment \$81.02.

You requested a reexamination of costs and shipment weights or remittal of incurred debt, 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 that NAVSUP reviewed the documentation provided and concurred that the calculations used by the Navy HHG Audit Office were incorrect. NAVSUP reviewed the weight tickets and inventory sheets to ensure you were billed for the correct weight. The weight tickets were not properly filled out with the correct trailer number, which is a violation of the weight ticket policy. The Transportation Service Provider was issued a violation for this error. NAVSUP created an inventory estimate of the inventory sheets, and the estimate validates the weight billed by the Transportation Service Provider. Your HHG move was re-audited, using the correct calculations, lowering your debt from \$1,617.68 to \$1,536.66. Your collections have already been processed, so you will receive a refund of \$81.02. The Board determined that in accordance with the Joint Travel Regulations, paragraph 051306,¹ you are responsible for the excess cost and that no further changes to your record are warranted. You may complete a Remission of Indebtedness Application (DD Form 2789) and submit to the Chief of Naval Operations (OPNAV, N130C) if this debt creates a financial hardship. You can submit your DD Form 2789 to N130C at NXAG_N130C@navy.mil. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

¹ Excess Charges. A. Government’s Responsibility. 1. 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. 2. 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. 3. All transportation costs are included in determining excess costs, such as storage, accessorial services, and any other costs that the Government paid to move the HHG. 4. When it is known or suspected that a Service member will exceed the maximum weight allowance before transportation, the Transportation Officer should notify the Service member and the office paying for the transportation. The Service member is financially responsible for the excess weight charges even if the Transportation Officer did not notify the Service member or the AO providing transportation funds of the known or suspected excess weight status before transportation.

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.

Sincerely,

3/15/2025

