



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

LCC:ddj
Docket No: 2756-01
12 June 2001

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 12 June 2001. 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, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CMC memorandum 4050.1K LFT-3-WC of 21 May 2001, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously 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,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
2 NAVY ANNEX
WASHINGTON, DC 20380-1775

4050.1K
LFT-3-WC
21 May 01

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION
OF NAVAL RECORDS

Subj: PETITION OF CAPTAIN [REDACTED]

Ref: (a) Joint Federal Travel Regulations

1. [REDACTED] shipped household goods (HHG) from Okinawa, Japan and from Jacksonville, North Carolina to Camp Pendleton, California. His household goods shipment weight totaled 16,014 pounds that resulted in excess costs being incurred by the member for exceeding his maximum weight entitlement of 14,500 pounds.
2. A service member in the grade of Captain is authorized shipment of up to 14,500 pounds of household goods at Government expense. These limits are prescribed in the reference. A service member who exceeds their maximum weight entitlement is liable for all excess costs incurred.
3. A service member cannot plan the shipment of personal property based on future promotions, nor can a change or cancellation of an assignment be considered in prescribing weight allowances, as they are determined by Congress and are law.
4. This Headquarters has determined that the Pay Adjustment Authorization is correct as issued, and we are unable to recommend a favorable determination of this case.

[REDACTED]
By direction