



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

LCC  
Docket No. 5308-08  
4 Sep 08

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

Subj: REVIEW OF NAVAL RECORD ICO  
[REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments  
(2) Email from CMC LPD-2 dtd 03 Sep 08  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a) Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show Petitioner is not indebted for moving his household goods via the Do-It-Yourself (DITY) Program when he was released from active duty on 2 September 2003.

2. The Board, consisting of Messrs. George, Pfeiffer, and Zsalman, reviewed Petitioner's allegations of error and injustice on 25 August 2008 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, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action.

#### CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

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

a. On 7 August 2003 Petitioner executed the appropriate documents where he voluntarily elected to participate in the DITY Program to move his HHG; by endorsement dated 7 August 2003, authority to participate in the DITY Program was granted by the appropriate naval authorities and the documents were prepared to show government procured equipment to move the HHG was obtained through the appropriate authorities and used by the Petitioner.

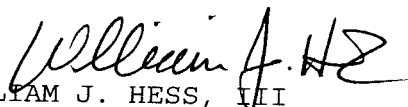
b. The Petitioner obtained weight tickets; however, the tickets and receipts were lost when mailed and he did not retain a copy. He signed a statement during the period when he was trying to complete his claim that the weight of the HHG was 4,200 pounds. Since the statement was signed within the period of time that he moved the HHG and having had the HHG weighted the Board opined that the **4,200** pounds should be used as the weight of the HHG he moved.

c. The Petitioner will also be given credit of \$2,622.64 for the rental truck cost. A receipt for the rental truck was provided.

d. A copy of this Report of Proceedings will be filed in Petitioner's naval record.

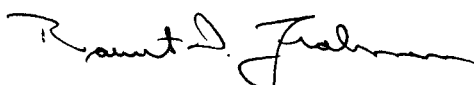
4. It is certified that quorum was present at the Board's review and deliberations, and that the foregoing is a true complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN  
Recorder

  
WILLIAM J. HESS, III  
Acting Recorder

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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

4 September 2008

  
W. DEAN PFEIFFER  
Executive Director