



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

JBH
Docket No. NR3273-13
27 March 2014

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

Subj: [REDACTED]

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

Encl: (1) DD Form 149 w/attachments
(2) Weight tickets and associated documents
(3) Separation Order, NAVMC 11060 9 March 2012
(4) HQMC Memo 4050 LPD-2 dated 13 June 2013

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 establish eligibility for reimbursement of a self-procured household goods move.
2. The Board, consisting of Messrs. Pfeiffer, Zsalman and George, reviewed Petitioner's allegations of error and injustice on 16 July 2013 and, pursuant to its regulations, determined by majority vote 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. On 1 September 2011 Petitioner was approved for an early early under the FY 12 Enlisted Early Release Program.

c. After petitioner was approved for early release he reported to the Traffic Management Office (TMO) at Marine Corps Air Station (MCAS) Beaufort.

d. Petitioner claims that he was counseled by an HHG Counsellor that he could complete the HHG move and be reimbursed.

e. On 11 November 2011 Petitioner executed a personally procured Household Goods (HHG) Move.

f. Petitioner claims that he reported back to the TMO and was informed that he could not be reimbursed for his move because he moved prior to separations orders being issued.

g. Funding for the Petitioner's separation orders was not issued until 9 March 2012.

h. In November 2012, Petitioner submitted an application to this Board. Petitioner seeks to have the record changed to show that his orders were issued before his household goods move in order to make a claim for reimbursement of travel expenses. Petitioner claims that he was counseled by the local TMO that he could make the move and then be reimbursed when the separations orders were issued.

h. In correspondence attached as enclosure (4), Headquarters Marine Corps (Code LPD2) has recommended the request be denied for the following reasons. The member conducted a Personally Procured Move prior to receiving separation orders and Petitioner did not meet the requirements outlined in the Joint Federal Travel Regulations to be reimbursed for the Personally Procured Move using his Separation orders.

CONCLUSION:

Upon review and consideration of all the evidence of record, the majority of the Board, concluded that Petitioner's request warrants favorable action. The Board carefully weighed the observations made in enclosure (4). The Board found that, while there is no evidence of an error, as a general matter of equity,

the Marine Corps should pay for a separating member's final household goods move, even if the member moved himself prematurely and without proper advance authorization.

RECOMMENDATION:

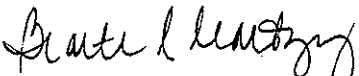
That Petitioner's naval record be corrected, where appropriate, to show that:

a. Petitioner's separation orders were issued prior to 11 November 2011.


b. Petitioner is authorized reimbursement for the self-procured household goods move he made on approximately 11 November 2011. Reimbursement shall be governed by the standard policies and regulations that apply to other self-procured household goods moves made in conjunction with separation from active duty.

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.

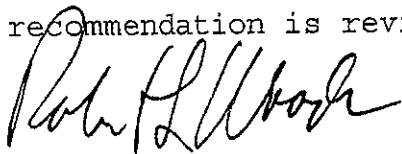
ROBERT D. ZSALMAN
Recorder


BRONTE I. MONTGOMERY
Acting Recorder

5. The foregoing action of the Board is submitted for your review and action.


ROBERT D. ZSALMAN
Acting Executive Director

The recommendation is reviewed and approved:



5/28/14

ROBERT L. WOODS
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