



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

LCC:ddj
Docket No: 3181-99
22 September 1999

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

REVIEW OF NAVAL RECORD

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

Encl: (1) DD Form 149 w/attachments
(2) Series of Documents
(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 he is entitled to reimbursement for cost of moving his 5th wheeler which was his primary residence from Twenty-Nine Palms, CA to Florence, MT.

2. The Board, consisting of Mses. Newman, Taylor, and Mr. Flood, reviewed Petitioner's allegations of error and injustice on 21 September 1999 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. The Board reviewed the correspondence attached as enclosure (2), and 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 enclosures contained in 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. A statement was issued on 3 February 1998 to the Petitioner by the appropriate Naval authorities indicating that orders transferring Petitioner to the FMCR would be issued. The statement included the authority to ship and store household goods and the authority to move his fifth wheeler which he used as his primary residence to Montana.

b. Petitioner signed a statement agreeing to pay any costs of shipment and/or storage charges incurred if orders transferring him to the FMCR were canceled.

c. Since all documentation and receipts pertaining to the move were lost Petitioner will be reimbursed for the expense of gasoline for towing his fifth wheeler by obtaining the official mileage from Twenty-Nine Palms, CA to Florence, MT and using the formula of an average of eight (8) miles per gallon at a cost of \$1.25 per gallon.

d. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

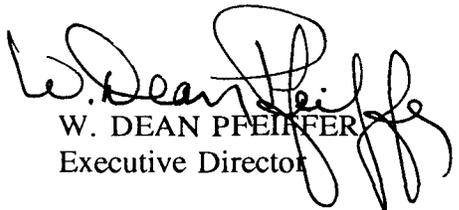
4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


G. L. ADAMS
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.

22 September 1999


W. DEAN PFEIFFER
Executive Director