

SEP 16 1998

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NO: 98-00542

COUNSEL: NONE

HEARING DESIRED: NO

[REDACTED]

Applicant requests that the total weight of his household goods shipped at the time of his Permanent Change of Station (PCS) be adjusted. Specifically, his estimate of 10 pounds for professional books, papers, and equipment (PBP&E) should be changed to 975 pounds. Applicant's submission is at Exhibit A.

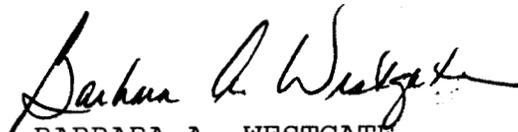
The appropriate Air Force office evaluated applicant's request and provided an advisory opinion to the Board recommending the application be denied (Exhibit C). The advisory opinion was forwarded to the applicant for review and response (Exhibit D). As of this date, no response has been received by this office.

After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of error or injustice to warrant corrective action. The facts and opinions stated in the advisory opinion appear to be based on the evidence of record and have not been rebutted by applicant. Absent persuasive evidence applicant was denied rights to which entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

Accordingly, applicant's request is denied.

The Board staff is directed to inform applicant of this decision. Applicant should also be informed that this decision is final and will only be reconsidered upon the presentation of new relevant evidence which was not reasonably available at the time the application was filed.

Members of the Board Mrs. Barbara A. Westgate, Mr. Henry Romo Jr., and Mr. Allen Beckett considered this application on 15 September 1998 in accordance with the provisions of Air Force Instruction 36-2603, and the governing statute, 10, U.S.C. 1552.

  
BARBARA A. WESTGATE  
Panel Chair

Exhibits:

- A. Applicant's DD Form 149
- B. Available Master Personnel Records
- C. Advisory Opinion
- D. SAF/MIBR Ltr Forwarding Advisory Opinion



DEPARTMENT OF THE AIR FORCE  
JOINT PERSONAL PROPERTY SHIPPING OFFICE - SAN ANTONIO (DOD)  
613 NORTHWEST LOOP 410, SUITE 400  
SAN ANTONIO TX 782164518

11 MAY 1998

MEMORANDUM FOR AFBCMR  
1535 COMMAAND DRIVE  
EE WING 3<sup>RD</sup> FLOOR  
ANDREWS AFB MD 20762-7002

FROM: DIR

SUBJECT: Application for Correction of Military Records- [REDACTED]

1. This Air Staff Advisory is submitted in reference to subject application [REDACTED]

2. Background:

a. The Air Force is governed in matters pertaining to the shipment of household goods (HHG) for its military members by Volume I, Joint Federal Travel Regulations (JFTR), which is promulgated from Title 37, U. S. Code.

b. Per Special Order AB-0111 dated 8 Nov 95, the applicant made a permanent change of station (PCS) from [REDACTED] to [REDACTED] for the purpose of [REDACTED] ion from active duty. In conjunction with his separation he was entitled to travel and transportation entitlements from [REDACTED] to his home of record (HOR), [REDACTED]

c. The applicant made two shipments of personal property in conjunction with his separation. A shipment of HHG moved from Italy to Rock Island IL under Government Bill of Lading (GBL) VP-486,927. It had a net weight of 3,722 pounds [REDACTED]. A shipment of unaccompanied baggage (UB) also moved from [REDACTED] IL under GBL YP-889,465 with a net weight of 653 pounds [REDACTED]. He was billed a total of \$2,651.82 for exceeding his authorized weight allowance of 2,000 pounds [REDACTED]

The Excess Cost Adjudication Function (ECAAF) was asked to review the case as the member had filed a Congressional Inquiry regarding his shipment. ECAAF determined that the excess cost charges were correct as the member had exceeded both his JFTR weight allowance and the unaccompanied baggage weight entitlement [REDACTED]. The excess charges are higher than those computed at origin because the origin charges did not include storage and other destination charges.

3. The applicant is requesting an allowance for professional books, papers, and equipment (PBP&E). He states that because he was rushed out of the military, he did not fully understand or read all of the paperwork regarding his shipment. He states that at the time of shipment he estimated he had 10 pounds of PBP&E. However, he now estimates the shipment contained 975 pounds of PBP&E.

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4. Paragraph U5310-C, JFTR, provides that a member is entitled to transportation of PBP&E when certified by the member as being necessary in the performance of official duties and when prepared for transportation in accordance with regulations of the Service concerned. Paragraph 2.3.5.2, Air Force Sup/JFTR, stipulates that in order for a member to receive credit for PBP&E, it must be separately packed, marked, weighed, and a clear description of articles entered on the carrier's household goods inventory prepared at time of pickup. It also states that after-the-fact declaration of PBP&E will only be accepted when a review of the member's case file contains documented indisputable intent to declare PBP&E. Documented intent includes the requirement that the PBP&E was separately identified, marked, and inventoried during the move in question.

5. Review of the applicant's case file indicates that no items in the shipment were separately packed, marked, weighed, or listed on the carrier's HHG inventory as PBP&E. GBL VP-486,927 indicates that no PBP&E was included in the shipment [REDACTED]. The applicant has circled 10 items on the HHG's inventory that he states could have been shipped as PBP&E. These items include books, book cases, word processor, and encyclopedias [REDACTED]. Under normal circumstances, some of these items would not qualify as PBP&E and none of the items were identified as PBP&E as required by regulations in order to receive credit.

6. In view of the above, recommend denial of the member's request to receive a 975 pound credit for PBP&E. He did not provide any information to support a probable error or injustice.

7. Should the board decide to grant the relief sought, the records may be changed to state the household goods shipment that moved under Government Bill of Lading VP-486,927 dated 9 Nov 95, contained 975 pounds of professional books, papers, and equipment.

8. My point of contact is Mr. Alfred P. August. If there are any questions regarding this matter, he may be reached at DSN 954-4227.

SIGNED

GEORGE R. FITZPATRICK  
Director

[REDACTED]

[REDACTED]

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