



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

LCC:ddj
Docket No: 3461-99
8 September 1999

[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 8 September 1999. 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 NAVSUPSYS CMD memorandum 4050 53C/152 of 10 August 1999, 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
NAVAL SUPPLY SYSTEMS COMMAND
5450 CARLISLE PIKE
PO BOX 2050
MECHANICSBURG PA 17055-0791

TELEPHONE NUMBER
COMMERCIAL
AUTOVON
IN REPLY REFER TO:

4050
53C/152

AUG 10 1999

From: Commander, Naval Supply Systems Command
To: Board for Correction of Naval Records

Subj: ADVISORY OPINION IN THE CASE OF
[REDACTED]

Ref: (a) BCNR memo PAY:tj of 21 Jul 99

Encl: (1) [REDACTED]
(2) Subject's Microfiche File

1. In response to reference (a), we have reviewed enclosure (1). Enclosures (1) and (2) are returned.

2. Our review concluded the weight of professional books, papers, and equipment (PBP&E) were not deducted from the carrier's net weight on [REDACTED] van shipment from Naval Air Station, Maine to Denver, Colorado in April 1998. The Naval Transportation Support Center (NAVTRANS) in Norfolk, Virginia reaudited the move and credited him for 3,180 pounds of PBP&E. This reduced the net chargeable weight for the shipment to 12,366 pounds.

3. However, NAVTRANS noted they also paid [REDACTED] for a 4,820-pound Do-It-Yourself move to Colorado in 1998. Based on his weight allowance of 12,500 pounds, he is now 4,686 pounds overweight on the two shipments. NAVTRANS will apply the excess weight to both moves to see which shipment results in the least excess cost to Chief Kollar. They will send him an amended Pay Adjustment Authorization to collect the debt.

4. No further Board action is required.

Martha J. Irons
MARTHA J. IRONS
By direction

Copy to:
NAVTRANS (Mr. Clewell)