



COMPTROLLER GENERAL OF THE UNITED STATES  
WASHINGTON, D.C. 20548

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B-173748

December 12, 1973

Mrs. Janice M. Benson  
2215 Matilda Street  
St. Paul, Minnesota 55110

Dear Mrs. Benson:

Further reference is made to your letter dated April 24, 1973, requesting further consideration of your claim for reimbursement of the cost of shipping your daughter's household effects from San Antonio, Texas, to St. Paul, Minnesota, incident to the service in the United States Army of her husband, Michael J. Pate.

This matter was the subject of a settlement issued by our Transportation and Claims Division dated March 29, 1971, which disallowed your claim for the reason that the entitlement to transportation of household effects at Government expense upon a permanent change of station is the right of the member rather than the dependent, and furthermore that his entitlement had been exhausted by the movement of his household goods at Government expense from one apartment to another in San Antonio, Texas. In our decision B-173748, dated October 1, 1971, copy enclosed, we affirmed the settlement of our Transportation and Claims Division.

The record shows that by Special Orders Number 3 dated January 3, 1968, your son-in-law, Specialist Michael J. Pate, was transferred on a permanent change of station from Brooke Army Medical Center, Fort Sam Houston, Texas, to Vietnam. On February 1, 1968, incident to this transfer, your son-in-law exercised his entitlement to have his dependents and household effects moved at Government expense by having his family household effects moved from a two bedroom to a one bedroom apartment in the same building in San Antonio, Texas, at a cost to the Government of \$67.

We disallowed your claim for reimbursement of \$759.01, the cost of shipping your daughter's household goods from San Antonio, Texas, to St. Paul, Minnesota, in our prior decision, and advised you that we were unaware of any statutory authority under which a member's entitlement to transportation of household goods may be reestablished after he has exhausted his right. We further explained that the right of transportation of household effects is that of the member rather than that of the dependent.

[Transportation of Household Effects]

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In your letter of April 24, 1973, you say that you had been advised by our Office that the reason you could not be reimbursed was that for every move paid for by the Government incident to a permanent change of station there has to be moving orders. You forwarded us a copy of the orders dated January 3, 1968, which directed Specialist Pate to Vietnam on a permanent change of station, on which was subscribed in pen and ink:

"I authorize the use of these orders by Mrs. Janice Benson for her personal endeavors: Michael J. Pate."

Consequently, you request reconsideration of your claim for reimbursement for the move of your daughter's household effects from San Antonio, Texas, to St. Paul, Minnesota.

Under the regulations previously referred to in our decision, a member is entitled to only one shipment of household goods for which such orders authorizing a permanent change of station have issued. Although your son-in-law has apparently attempted to authorize the use of his original permanent change of station orders for the subsequent movement of his family's household goods, you were misinformed when you were advised by the Department of the Army that there would be no objection to revalidating his entitlement through reimbursement of the cost of the first move, if Specialist Pate agree thereto in writing. However, in our opinion, erroneous information by Government personnel would not afford a legal basis to reimburse you for the cost of the movement of your daughter's household goods from San Antonio, Texas, to St. Paul, Minnesota.

As Specialist Pate had only one ordered permanent change of station which was covered by orders dated January 3, 1968, and for which entitlement has been exhausted, there is no legal basis for the allowance of your claim for reimbursement for the second movement of household goods.

Accordingly, the decision of October 1, 1971, sustaining the settlement of our Transportation and Claims Division in denying your claim for reimbursement is affirmed.

Sincerely yours,

Paul G. Deabing

Comptroller General  
of the United States

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