

B-190576

sum of \$769.04 to pay the transportation charges claimed by Aero Mayflower Transit Company, Inc., for services rendered in response to the issuance of Government Bill of Lading No. L-O, 656,622, subject to the understanding that, after payment to Aero Mayflower, the Administrative Office will take necessary action in accordance with 5 U.S.C. § 5514 (1970) to recover the full amount from Ms. Norma Jean Silvani, on whose behalf the transportation services were provided?"

In 25 Comp. Dec. 812 (1919), it was held that "The agents of transportation companies cannot be acquainted with the officers and employees of the Government, and a request if in proper form and apparently good upon its face, without excuse or alteration, may be honored accordingly, thus involving the Government in the payment for the services indicated thereon." And this Office long has held that where a carrier, in good faith and without negligence, has furnished transportation under a Government bill of lading, transportation request, or other contractual arrangement, it is entitled to payment for the services rendered, notwithstanding the fact that the transportation was not authorized, and irrespective of whether collection can be made from the individual benefiting from the services. 4 Comp. Gen. 630 (1925); 14 Comp. Gen. 631 (1935); 21 Comp. Gen. 359 (1941); 25 Comp. Gen. 360 (1943); Cf. 48 Comp. Gen. 772, 774 (1949).

The record shows that the Administrative Office's contracting officer did have authority to issue GBL's for transportation services for the account of the United States. And there is an appropriation indicated on the GBL which apparently is available to pay for the transportation of household effects. Further, Aero Mayflower apparently acted in good faith and without negligence when it accepted the GBL as tendered. See, also, 49 U.S.C. 66 (a) (Supp. V, 1973), which provides, among other things, that: "Payment for transportation of persons or property for or on behalf of the United States by any carrier or forwarder shall be made upon presentation of bills therefor prior to audit by the General Services Administration, or his designee."

Accordingly, the voucher of Aero Mayflower, which is being returned to the Administrative Office, may be certified for payment of \$769.04, if otherwise correct. After payment, the amount paid should be collected from Ms. Silvani in the usual manner under the provisions of 5 U.S.C. 5514 (1970).

R. F. KELLER

Deputy | Comptroller General
of the United States