

B-252276.3

March 28, 1995

Major

Hanscom AFB, MA 01731-2608

Dear Major :

This refers to your March 14, 1995, letter requesting that we reconsider our January 17, 1995, decision rejecting submission of your claim for property damage in the amount of \$1,404.70 to the Congress as a meritorious claim.

In our decision, we informed you that we generally decline to consider a claim as a meritorious claim when the underlying authority to reach a conclusive settlement is within the exclusive jurisdiction of another agency. Here, the Secretary of the Air Force or his designee, under the Military Personnel and Civilian Employees' Claims Act, 31 U.S.C. § 3721, is authorized to grant the relief you are seeking. His action is final. The matter therefore falls outside our settlement authority. As we noted in our earlier letter to you, any request for relief is a matter within the jurisdiction of the Air Force.

Sincerely yours,

for \s\ Seymour Efros
Robert P. Murphy
General Counsel

cc: AFLSA/JACC