

PLMII

DECISION



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

10,441

FILE: B-194556

DATE: June 13, 1979

MATTER OF: Irvin Alexander, Jr.

per name

DIGEST: A former Navy member who claims reimbursement for shipping his household effects and supports his claim with receipts indicating that the shipment was made 11 months prior to the issuance of permanent change-of-station orders may not be reimbursed since generally shipment of household effects prior to orders is not authorized. *The claimant's* statement that the shipment was made after his orders were issued, not on the date of the receipts, is insufficiently supported to overcome the strong presumption that the shipment was made about the time of the receipt dates.

No authority existed for payment of the claim.

This action is in response to a letter dated March 2, 1979, from Mr. Irvin Alexander, Jr., a former member of the United States Navy, which constitutes an appeal from a settlement by our Claims Division dated March 7, 1977. That settlement denied his claim for reimbursement of the cost of shipping his household goods from Newport, Rhode Island, to Philadelphia, Pennsylvania, because his goods were shipped prior to issuance of permanent change-of-station orders. Since the receipts for the expenses incurred in shipping his household goods are dated in January 1966, and his orders were issued in October 1966, we also conclude that the shipment was made prior to the orders, and we sustain the disallowance of the claim.

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On October 5, 1965, Mr. Alexander, at the time a member of the United States Navy, requested a transfer to a ship homeported in Newport, Rhode Island, or Philadelphia, Pennsylvania, for humanitarian reasons. On December 29, 1965, he was assigned to temporary additional duty for instruction for 16 weeks effective January 3, 1966, at Philadelphia from Boston, Massachusetts. By orders dated October 28, 1966, Mr. Alexander was directed to report no later than November 17, 1966, to the Inactive Ship Maintenance Facility at Philadelphia, Pennsylvania, from Newport,

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Rhode Island, for shore duty (a permanent change of station).

Mr. Alexander filed a claim for \$627.90 as the cost of shipping his household goods from Newport, Rhode Island, to Philadelphia, Pennsylvania. As support for the claim he furnished two receipts from J. Hawkins for money received from Irvin Alexander, Jr., for shipment of household goods from Newport, Rhode Island, to Philadelphia--one dated January 1, 1966, in the amount of \$445, the other dated January 6, 1966, in the amount of \$182.90, for a total of \$627.90. Our Claims Division disallowed the claim because on the basis of that evidence, the shipment was made long prior to the issuance of the October 28, 1966 order.

In appealing the disallowance Mr. Alexander now says that his household goods were not moved until November 1967, over a year after his orders were issued. Mr. Alexander has submitted a statement dated December 14, 1978, from a finance company to the effect that money was loaned to him in November 1967 to ship furniture to Philadelphia from Newport, Rhode Island.

Under the provisions of 37 U.S.C. 406(b), a member of a uniformed service who is ordered to make a change of permanent station is entitled to transportation of his household goods, or to reimbursement therefor. The entitlement authorized by the above subsection is subject under 37 U.S.C. 406(c) to conditions and limitations prescribed by the Secretary concerned. Generally, transportation of household goods incident to a permanent change of station is not authorized prior to the issuance of permanent change-of-station orders. See Volume 1, Joint Travel Regulations, paragraph M8015-1 (change 164, September 1, 1966) and 52 Comp. Gen. 769 (1973).

While Mr. Alexander now states that he shipped his household goods in November 1967, not January 1966, the receipts he has furnished as support for his claim are dated in January 1966 at which time he was apparently performing temporary duty at Philadelphia. The only evidence he has furnished to support his statement that the goods were shipped in November is a statement

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from a finance company, issued over 11 years later, that they extended credit to him in November 1967 to ship "furniture and trailer goods" to Philadelphia. He also furnished some documents indicating that he purchased a house in Philadelphia in October 1967. That material is not sufficient to overcome the strong presumption that the shipment took place in January 1966, on or about the dates of the receipts for the shipment, which was long before Mr. Alexander's orders were issued.

In view of the foregoing, no authority exists for payment of Mr. Alexander's claim. Therefore, the settlement of our Claims Division is sustained.

Deputy


Comptroller General
of the United States