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

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B-158238

MAY 6 1966

in.
MAY 6 - [Stamp]

Captain [Redacted], USAF
Headquarters 7272 Flying Training Wing
APO, New York, New York 09231

Dear Captain [Redacted]:

Reference is made to your letter of April 19, 1966, DMSF, relative to your claim for reimbursement of the cost of storage, handling and shipment of your privately owned automobile from Naples, Italy, to Tripoli, Libya, including fees and auto rental while awaiting arrival of your car. Your claim was the subject of our decision to you dated February 7, 1966, B-158238. ✓

Your automobile was shipped at Government expense from New York, New York, to Naples, Italy, where it was placed in commercial storage and later shipped to Tripoli at your expense. In the decision of February 7, 1966, you were advised that the regulations provide that when privately owned vehicles have been received at destination, they will be placed in a secure area (Government storage) until called for by the sponsor or agents, or placed in commercial storage; that the regulations provide that if the privately owned vehicle is not picked up by the sponsor or his agent within a reasonable period of time and the storage space is required by the unloading military terminal, the terminal commander is authorized to place the vehicle in commercial storage "at the sponsor's expense." You were further advised that the regulations specifically provide that "any charges resulting from such commercial storage are to be accepted as a proper charge and are payable by the sponsor directly to the storage firm concerned." It was stated that your claim could not be paid for the reason that the law makes no provision for reimbursement of such storage charges.

In your present letter you say you concur with the decision except for the reference to "my agent." You say the U. S. Naval Support Activity, Naples, Italy, handled the matter from receipt of the vehicle at Naples until it was shipped to Tripoli by their agent, and have furnished a copy of a wire from that activity requesting you to forward a check to that office to pay the contractor for the storage and shipping charges. For that reason you believe the storage portion of your claim should be paid.

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The comments in the decision concerning the "sponsor or his agent" had reference to the provisions of the regulations and did not mean that you had employed some individual to ship your automobile. Upon your arrival at Naples, however, you executed DD Form 828, Motor Vehicle Shipment application in order that the Naval Support would have authority to act in your behalf. Under that authorization the Navy was acting for you and not for the Government in handling your automobile after it reached Naples. Since the terminal commander was authorized in any event to place your vehicle in commercial storage at your expense and since the law makes no provision for storage of privately owned vehicles of military personnel in commercial facilities at public expense, the question of whether the Navy was acting for you, or independently, is immaterial and has no bearing on our conclusion that there is no authority for payment of your claim for reimbursement of the storage charges incurred.

This point

Accordingly, the decision of February 7, 1966, was correct and is sustained.

Sincerely yours,

FRANK H. WEITZEL

Assistant Comptroller General
of the United States

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