



DELIST - LCP

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COMPTROLLER GENERAL OF THE UNITED STATES

WASHINGTON, D.C. 20548

APR 9 1973

E-177643

Captain J. A. Trainen, USAF  
Accounting and Finance Officer, Symbol 525700  
Through Department of the Air Force  
3800 York Street  
Denver, Colorado 80205

Dear Captain Trainen:

We refer to your letter dated August 25, 1972, with enclosures, reference ACF, assigned EDTATAC Control No. 72-61, which requests an advance decision as to whether the claim of [REDACTED], [REDACTED], for reimbursement of expenses associated with the sale of a dwelling at his old official station may be certified for payment under the circumstances hereinafter described.

The record shows that by Travel Order No. A-2248, dated May 26, 1972, [REDACTED] was authorized a change of his official duty station from Barksdale Air Force Base, Louisiana, to Offutt Air Force Base, Nebraska.

The propriety of payment of the claim is administratively questioned because the subject dwelling at the old official station for which [REDACTED] requests reimbursement of real estate expenses was not his actual residence at the time he was first definitely told of his pending transfer to his new duty station.

In this regard the record reveals that [REDACTED] received a letter dated September 30, 1971, from Colonel Richard H. Doyle, stating in pertinent part that—

1. On 22 July 1971, you received notice in writing from me that the Numbered Air Forces, or the intermediate commands, are in the throes of a planned reorganization. I am presently in receipt of a letter from Headquarters SAC, dated 17 September 1971. Subject: Intermediate Command Reorganization. In this letter, it pointed out that a possibility exists that transfers may take place when workload and like functions are transferred to that headquarters. It is my belief, as well as

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General Hayes, that early alignment of possible transfers would be to the advantage of all.

2. On Friday, 1 October 1971, I will personally ask you the following, realizing that there can be no commitment made regarding a firm job offer at this time and any answer you give at this time, whether it be affirmative or negative, will in no way commit you at a later date:

"Would you, if offered a position at Headquarters SAC between 1 January 1972 and 30 June 1972, move to that position, realizing that it would probably be commensurate to, or in a like range, with regard to your present position and pay"? Again, it should be pointed out that this is in no way a commitment - it is merely a poll to assist in establishing the best organizational and grade structure possible and to assist SAC Hq in their planning. (Emphasis supplied.)

Subsequent to receipt of the above-quoted letter [REDACTED] on October 11, 1971, moved out of the residence here involved. In connection therewith, [REDACTED] has stated--

After receipt of Col. Doyle's letter of 30 September 1971 I moved out of my residence at [REDACTED] on 11 October 1971, into a rented house at [REDACTED] which is 5 miles away. At that time my intent was to make some repairs and to rent or lease my house until such time that I could return to Shreveport for employment or retirement. After a long period of indecision, and on the advice of others who had handled rental property, I finally decided to sell rather than rent my property. (Emphasis added.)

The sale of the house was closed May 9, 1972, subsequent to the date [REDACTED] received definite notice of his transfer.

Payment of the claim was administratively denied for the reason that the letter of September 30, 1971, from Colonel Doyle did not constitute definite notice to [REDACTED] that he was to be transferred. It is the view of the administrative office that the first official notification of transfer did not exist until [REDACTED] received a letter dated March 26, 1972, from Mr. H. D. McGrath, Chief, Civilian

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