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United States
General Accounting Office
Washington, D.C. 20548

Office of the General Counsel

B-233529

January 9, 1989

The Honorable Lloyd Bentsen
United States Senator
961 Federal Building
Austin, Texas 78701

Dear Senator Bentsen:

We refer to your letter dated October 26, 1988, with enclosures, regarding a claim of Mrs. Antonette Thomas Jeter involving her husband's military pay during World War II. Due to the operation of the 6-year statute of limitations, we do not see how a claim of this nature, for unpaid military pay believed due from World War II, can be approved.

Mrs. Jeter states that her husband, Major James Jeter, served outside the United States with the Army Medical Corps as a flight surgeon from February 20, 1942, until July 2, 1944. Sometime around November 1944, her husband was notified by the War Department that he had to return the extra pay he had received for flying and combat duty. He repaid the amounts requested in three installments, the last of which was paid on July 10, 1945. Mrs. Jeter states that she and her husband have questioned the propriety of that collection action for the past 44 years. She requests a copy of his complete military record and repayment of the amounts collected.

Our records do not indicate that this matter was ever presented previously to our Office, and we cannot add anything to the documents provided by Mrs. Jeter. In any event, under 31 U.S.C. § 3702(b)(1), every claim or demand against the United States for military backpay is barred unless it is received in our Office within 6 years after the date it accrues. Clearly, Mrs. Jeter's claim is barred by this 6-year statute of limitations, which was designed to prevent disputes over stale claims and to relieve the government of the burden of maintaining antiquated pay records.

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We regret that we are unable to provide a more favorable response.

Sincerely yours,

A handwritten signature in cursive script that reads "Robert H. Hunter". The signature is written in black ink and is positioned above the typed name.

Robert H. Hunter
Associate General Counsel