



DEPARTMENT OF THE ARMY
HEADQUARTERS, JOINT READINESS TRAINING CENTER AND FORT POLK
OFFICE OF THE STAFF JUDGE ADVOCATE
7090 ALABAMA AVENUE, BUILDING 1454
FORT POLK, LOUISIANA 71459

AFZX-JAC

18 May 2016

MEMORANDUM FOR Personnel Concerned

SUBJECT: Frequently Asked Questions

PCLAIMS

1. I cannot access PCLAIMS because the website no longer works.

PCLAIMS is available at <https://www.jagcnet5.army.mil/pclaims>. You now must log onto PCLAIMS with a CAC card. If you cannot access PCLAIMS, you must complete a **DD Form 1842** and submit it to the Fort Polk Claims Office (FPCO) or your nearest Military Claims Office. The DD Form 1842 must be signed in Block 17 by the Soldier. If the spouse signs the form, the spouse must provide a Power of Attorney and write "Attorney in fact for the Soldier." You must write a dollar amount in Block 9. Also, you should complete a **DD Form 1844** and submit it to the FPCO. You may email the DD Form 1842 and 1844 to the FPCO at usarmy.polk.imcom.mbx.sja-claims-office@mail.mil or fax (337) 531-8909 or mail OSJA, Claims, 7090 Alabama Avenue, Building 1454, Fort Polk, Louisiana 71459.

2. I am a service member, but not with the Army. Should I use PCLAIMS?

Only Army Soldiers or Army/DOD civilian employees may use PCLAIMS. Non-Army service members must file a claim with their branch of service.

Air Force: Air Force Claims Service Center, 1050 Forrer Blvd., Dayton, Ohio 45420-1472; AFCSC.JA@wpafb.af.mil; 1-877-754-1212; DSN (312)986-8044 or comm.: (937)656-8044; Fax: DSN 986-8307 or comm.: (937)656-8307.

Navy & USMC: Personnel Claims Unit Norfolk, 9053 First St. Suite 102, Norfolk, VA 23511-3605; (888)897-8217/ FAX (866)782-7297; DSN 564-3310/5274/ FAX DSN 564-3337. If the loss occurred in or upon delivery to Antarctica, Arctic, Australia, Guam, Japan, Indian Ocean (east of 60 E longitude) or the Pacific Ocean, file the claim with Personnel Claims Unit, Branch Office Pearl Harbor, 850 Willamette St. Pearl, Harbor, Hawaii 96860-5109; (808)473-4701/FAX (808)473-3493; DSN 473-4701/FAX DSN 473-3493.

Coast Guard: Legal Service Command Norfolk, LSC-5E, Claims Division, 300 E. Main Street, Suite 400, Norfolk, Virginia 23510-9100; DO5-SMB-Claims@uscg.mil; (757)628-4212.

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3. What if my information is classified....should I put it in PCLAIMS?

DO NOT UPLOAD CLASSIFIED INFORMATION IN PCLAIMS.

Personnel Property Claims

1. What do I do with the Notice of Loss or Damage (DD Form 1840/11840R or Form 1850/1851) the moving company gave me?

If you notice any damaged or missing items before the movers leave, you should list them on the "At Delivery" side. List all other damaged or missing items on the "After Delivery" side. You must complete this form and dispatch it (fax, mail, or upload online at <http://www.move.mil>) to the proper Transportation Service Provider (TSP) within 75 days of your delivery date. Addresses and contact information for the TSP may be found at <http://www.sddc.army.mil>. Click on the Personal Property link on the left side of the SDDC home page. On the Personal Property page, click on the link for "Domestic Approved TSP" or "International Approved TSP" on the right side of the page. Right click on list and select the "Find" option and type in the name of the TSP. The name, address, e-mail, and telephone contact information appear, unless this shipment delivered out of Non-Temp Storage. Try to get a receipt confirmation from the TSP. You may have to call the TSP to verify they received notice. Ask to speak to someone in claims for military moves.

You may bring your notice to the Fort Polk Claims Office within 75 days and our office will dispatch this form for you. After 75 days from your delivery date, you should still bring your notice to the Fort Polk Claims Office for dispatch. Our office will provide you additional guidance for filing your claim.

You have 9 months from the delivery date to file your claim online at <http://www.move.mil> and receive full replacement value. If you file after 9 months, but within 2 years of the delivery date, you will receive depreciated value.

2. What if I did not receive a Notice of Loss or Damage (DD Form 1840/1840R or Form 1850/1851)?

Ask the Delivery Agent (Moving Truck Driver) about your Notice of Loss or Damage form at the time of delivery. He must give you a copy of this form at delivery. If you do not receive a form on the day of delivery, contact the Fort Polk Claims Office (FPCO) or Transportation Office immediately to assist you.

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3. I turned in my Notice of Loss or Damage. Now what do I need to do to complete my claim?

All Full Replacement Value (FRV) claims filed directly with the TSP must be filed within 9 months from the delivery date. If you file your claim directly with the TSP after 9 months but within 2 years, you will receive depreciated value.

If you have an DPS shipment, you must file your claim online at <http://www.move.mil>. Most Soldiers have a DPS shipment. If you do not have a DPS shipment you must file your claim with the TSP listed on your Notice of Loss or Damage. Our office will confirm the TSP's contact information for you upon request. See number 1 for more information.

If you elect to transfer your claim to the Military Claims Office (MCO), you should transfer the claim within 2 years from the delivery date. You must select "transfer to MCO" online at <http://www.move.mil>. To file your claim with the MCO, you file the transferred items into PCLAIMS available at <https://www.jagcnet5.army.mil/pclaims>. If you cannot access PCLAIMS, you must complete DD Forms 1842 and 1844 and provide them to the claims office. Please contact the Fort Polk Claims Office for assistance in transferring your claim from the TSP to the MCO.

4. What do I do if I don't have my inventory, government bill of lading, DD Form 1299 or DD Form 1164?

The moving company (Transportation Service Provider) normally gives you a copy of your inventory when your household goods are picked up. It is your responsibility to retain this and provide it to us. If you do not have one for some reason, you should contact the moving company that delivered your goods. The transportation office does not have a copy of your inventory, but they will have a copy of your government bill of lading and your DD Form 1299 or DD Form 1164.

5. When do I have to get an estimate of repair and who pays for it?

FRV and DPS Claims – The Transportation Service Provider (TSP) must obtain and pay for the estimate of repair. You may elect to obtain and pay for the estimate of repair, but you should get the TSP to approve this in advance to ensure TSP pays for your estimate of repair. If problems arise, inform the TSP in writing that their contract with the Army requires them to obtain and pay for the estimate of repair. Contact the Fort Polk Claims Office at 337-531-2636/1197 to report a TSP that refuses to obtain and pay for the estimate of repair.

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Military Claims Office, AR 27-20, Ch. 11 Claims – You must obtain and pay for an estimate of repair. Estimates of repair are required for all repairs over \$100.00. ALL electronic items with internal damages must have estimates of repair. The estimate for electronic items must state a basis for believing the claimed damage is due to shipping. The claims office has an additional Electronic Repair Form that must be completed by the repair firm. The cost of obtaining the estimate is reimbursed as part of your claim unless the estimate fee is applied to the eventual repair of the item.

6. What is the difference between filing a Full Replacement Value (FRV) claim (for loss/damage to household goods during a government sponsored move) with the TSP and filing a claim with the Military Claims Office (MCO)?

If you file your claim directly with the TSP within 9 months of the delivery date, you will receive FRV for lost items, destroyed items, or items non economical to repair. If you file your claim with the TSP after 9 months but within 2 years, you will only receive depreciated value. Also, the TSP must obtain and pay for all repair estimates of repair. Most Soldiers have a DPS shipment and must first file a claim with the TSP for FRV online at <http://www.move.mil>. If you are not satisfied with your FRV claim you may transfer all or part of your claim to the MCO. You must transfer your claim within 2 years of your delivery date. Limited exceptions to this time deadline apply to deployment related delays in filing the claim. See Number 8 for more information on transferred claims. The MCO processes your claim pursuant to Army Regulation 27-20, Chapter 11. This is a gratuitous paying statute, which is designed to replace the property you lost based on actual value at the time of loss as prescribed by federal law. The MCO is required to depreciate your items according to the Allowance List Depreciated Guide. However, the MCO may now pay the Soldier full replacement value (FRV), if 1) the loss occurred due to an Act of God 2) an ocean carrier caused the loss or 3) the last hauler (mover) denied the claim due to a previous mover caused the loss or damage.

7. Do I have to file a claim with my private insurance company before I file a claim with the Military Claims Office?

You do not have to file a claim with your private insurance for items transported or stored at government expense. For other types of claims, including vandalism or theft from personal vehicles or quarters, the Army Regulations require you to file and settle with your private insurance or your claim may not be payable. This includes comprehensive coverage on your automobile.

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8. I filed a FRV claim directly with the TSP; however, I am not happy with the TSP's offer to settle my claim. What are my options?

IMPORTANT: If you cash the TSP's check, you cannot later dispute the amount the TSP paid. When you cash the check, the law says you accepted the check in full and fair satisfaction of your claim. The TSP must pay you for each individual item and may not issue you a lump sum payment for all items.

You may contact the Fort Polk Claims Office (FPCO) at 337-531-2636/1197. The FPCO will contact the TSP and attempt to mediate the dispute. If the FPCO cannot resolve the dispute, you may transfer (by notifying the TSP in writing) all or part of your claim to the FPCO. For example, email or write the TSP and state "I accept the value for item #1, golf clubs, but not item #2, doll house. Please transfer item #2 to the Military Claims Office." The FPCO will adjudicate your claim under AR 27-20, Chapter 11. If your claim entitled you to receive full replacement value from the TSP, the FPCO will submit your file to the U.S. Army Claims Service. The recovery division will seek to recover FRV from the TSP. If the recovery division obtains additional money from the TSP, you will receive an additional check for this amount.

9. I filed a FRV claim with the TSP or a DPS claim online, however, I do not feel the TSP is treating me fairly and I do not appreciate their rude behavior. What do I do?

Please contact the Fort Polk Claims Office (FPCO) to report all negative instances where the TSP is not performing in accordance with the terms of the rate solicitation, acting in bad faith, or otherwise performing in an unacceptable manner, such as by being rude or discourteous. FPCO will submit all such reportable instances to the U.S. Army Claims Service for appropriate action against the TSP. Moreover, this information will help develop an accurate assessment of the quality of service being rendered by the TSP. In addition, you should complete the TSP Customer Satisfaction Survey.

10. Why is it important to complete the Customer Survey after a household goods shipment?

Feedback is necessary to assist the Government in making sure the program works for the Soldier.

11. My DPS password is not working and I cannot log on to DPS. What do I do?

You must log into DPS every 45 days or you may be locked out of the system. Contact DPS directly to obtain a new password at 618-220-7332, option 5. If you need

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further assistance, you may stop by the Fort Polk Claims Office (FPCO). The FPCO is located at 7090 Alabama Avenue, Building 1454, Fort Polk, Louisiana 71459. Our customer service hours are 0800 to 1130 and 1230 to 1630. Bring your CAC card and you may log onto DPS in our office for further one on one assistance.

12. I filed my claim with the Fort Polk Claims Office (FPCO); however, I am not happy with the amount Fort Polk paid for some of my items. What should I do?

You may contact the FPCO at 337-531-2636/1197. You may ask for a formal reconsideration of your claim. You must request reconsideration within 60 days of the date of your settlement letter. The request must be in writing and submitted to the FPCO. Your written request should state why you are due additional compensation and provide any additional documentation or other evidence to support your position. If the FPCO is unable to satisfactorily resolve your reconsideration, it will be forwarded to the Staff Judge Advocate who is authorized to make a final decision when the amount at issue is less than \$1,000.00. If the amount at issue exceeds \$1,000.00, your entire file will be forwarded to the U.S. Army Claims Service for their review and final action.

13. My spouse was deployed to Afghanistan. I moved to Fort Polk under his orders to await his return. Can I file a claim for the damages to the property?

Yes. The Soldier must either sign the claim or provide a power of attorney or letter stating that the spouse can file the claim. In all cases, the claim payment will be in the name of the Soldier.

14. My POV was damaged when it was shipped from Germany. How do I get paid for the damages?

You should have noted any damage to your vehicle at the port on the DD Form 788 and filed with the Vehicle Processing Center. If not, or if you have found additional, uncompensated damages, you should contact the VPC immediately or Fort Polk Claims Office (FPCO) as soon as possible. Please have your DD Form 788 in order for our office to best assist you. You should perform a detailed inspection of your vehicle at the port and list any damages on your DD Form 788. Failure to properly inspect your vehicle at the port and note damages on the DD Form 788 at the port could result in nonpayment of your claim.

15. My computer was working before I shipped it with my household goods, but it doesn't work now. Will the TSP pay me for a new computer?

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It depends. First, list the computer damage on your Notice of Loss or Damage and submit the Notice of Loss or Damage After Delivery to the TSP within 75 days of the delivery date. Second, list the computer damage as a line item in your claim and file your claim with the TSP within 9 months of the delivery date. If you file after 9 months, but within 2 years you are only eligible to receive depreciated value. The TSP may inspect your items and must pay for repair estimate for your computer. The repair estimate should include an explanation as to the type of damage and how the damage occurred. If you submit sufficient documentation indicating the damage to your computer occurred due to rough handling during shipment, you should receive money to repair the item or Full Replacement Value (if you filed your claim within 9 months of your delivery date.) for a non repairable item. Typically, damage resulting from manufacturing defects or normal wear and tear is not compensable. If you are unhappy with the TSP's determination, you may transfer this item to the Fort Polk Claims Office (FPCO) or nearest Military Claims Office for processing IAW AR 27-20, Chapter 11. Please see above number 5 and 8 for additional information and/or contact the FPCO at 337-531-2636/1197 for further guidance.

16. I hit a pothole while driving on the Fort Polk Military Installation. Will the Army pay for a new tire?

Generally no. If the investigation determines a Contractor is responsible for the construction project, the Fort Polk Claims Office (FPCO) will provide you with information to file a claim with Contractor and inform the Contractor of your claim. Please notify FPCO at 337-531-2636/1197, if the Contractor does not resolve your claim to your satisfaction.

If the investigation determines a government employee is responsible, you may elect to file a claim pursuant to AR 27-20. Army Regulations typically do not permit payment for pot hole damage. The fact the ditch or pothole existed is not proof of negligence or wrongdoing by the government. The decision to fix ditches or potholes is a budgetary decision based on funding. These decisions are a discretionary function of a government employee and do not subject the government to liability. However, if you have written orders authorizing you to use your POV for the convenience of the government, your claim may be payable. Please contact the FPCO at 337-531-1967/2636 for further guidance.

17. May I file a claim for my television if it is damaged by a power surge in my on post quarters?

AR 27-20, Chapter 11 permits payment for fire, flood, theft, vandalism and unusual occurrences. Typically, the Army does not classify storms, power surges, and power

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outages as “unusual occurrences” and such damage cannot be paid. However, a claim may be payable, if lightning struck a Soldier’s quarters or the transformer box. Also, claims may be payable if the power company records or evidence shows that a particular residence or group of quarters (located on the Fort Polk Military Reservation) had an unusually intense power surge. If the investigation determines a Contractor is responsible for the power surge, Fort Polk Claims Office (FPCO) will provide you with information to file a claim with Contractor and inform the Contractor of your claim. Please notify FPCO at 337-531-2636/1197, if the Contractor does not resolve your claim to your satisfaction. Please note a repair firm's statement or a Soldier’s honest belief the loss occurred as a result of a power surge during a storm may not be sufficient to show what caused the damage. Moreover, frequent thunderstorms occur in this area and Soldiers should use a surge suppressor to protect electronically delicate items such as computers, televisions, DVD players, Wii, Play Station, and other electronic items. If you reside in privatized housing, you must first file through the designated insurance company. You may coordinate with the FPCO for further guidance.

18. May I file a claim if my car is vandalized in my barracks parking lot?

First, you must file a claim with your private insurance company. The Fort Polk Claims Office (FPCO) will only pay for damages not covered by your private insurance. Next, you may elect to submit a claim with the FPCO. You must prove, by clear and convincing evidence the vandalism occurred on the Fort Polk Military Installation. For example, a picture showing your car with a broken window and shattered glass on the ground next to your car. You must always report these incidents to the military police and obtain a copy of their report.

19. Suppose my car is hit by another car that leaves the scene of the accident at the Commissary? Should I file a claim?

Generally, Army Regulations do not permit payment for a hit and run accident. You should report the incident to the Military Police. You may file a claim with your automobile insurance company.

20. I recently moved to Fort Polk and my household goods arrived today. I want to file a claim for my damaged household goods, however, I don’t have space to keep the broken items. May I throw away the broken items?

No! If you recently had a government sponsored move and your household goods arrived damaged, you must keep all damaged items until you receive money for your claim. The Transportation Service Provider (TSP) will want to inspect all damaged

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items before resolving your claim. If you throw away damaged items before you finish the claims process, you may not get paid!! Please contact the FPCO at 337-531-2636/1197, if you have additional questions.

21. I recently moved to Fort Polk and my household goods are in Non Temporary Storage (NTS) at government expense. I don't have a house yet...but Transportation tells me my NTS is about to expire...what do I do?

Once your NTS time expires, you must pay for storage. Also, you must inspect and note all damaged items at your expense before midnight on the day your NTS expires or your Full Replacement Value Claim with the Transportation Service Provider may be denied. You still will be able to file an AR 27-20, Ch.11 claim with the Military Claims Office. Please contact the FPCO at 337-531-2636/1197, if you have additional questions.

22. I have technical questions about the DPS website...who do I contact.

You may contact DPS help desk directly at 1-800-462-2176. You may see additional guidance at <http://www.move.mil>. You must turn off the "pop up blockers" on the top right corner of your screen. If you need further assistance, you may stop by the Fort Polk Claims Office (FPCO). The FPCO is located at 7090 Alabama Avenue, Building 1454, Fort Polk, Louisiana 71459. Our customer service hours are 0800 to 1130 and 1230 to 1630. Bring your CAC card and log onto DPS in our office for one on one assistance.

Affirmative Claims

1. I was hurt in an automobile accident recently and received medical care at Bayne Jones Army Community Hospital or used my TRICARE at a civilian hospital. I just received a form asking about the details of the accident, so the Army can be paid for my medical care. I thought I received free medical care – what is going on?

Soldiers, retirees, and their dependents receive medical care through TRICARE, which is paid by the government. The Federal Medical Care Recovery Act, a law passed by Congress in 1962, allows the government to recover medical expenses for treating people who are injured because of someone's neglect. The United States recovers these costs directly from the at-fault party's insurance company. The Fort Polk Claims Office (FPCO) needs this form to collect the value of your medical care from the party who injured you. Failure to complete this form could result in a loss of TRICARE benefits. If you received a DD Form 2527, please read number 25. Please note: 10

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United States Code 1095 allows the Government to recover from your Underinsured/Uninsured Motorist Policy or your Med Pay Policy. Please contact FPCO at 337-531-2129/1197 for further information.

2. I was in a car wreck and now I am getting a bill from a hospital. I know I have TRICARE. What should I do?

You should have received a DD Form 2527 "Statement of Personal Injury Possible Third Party Liability" from TRICARE. If TRICARE must pay more than \$500 for your medical care, and 3rd party appears to be at fault, you MUST complete and return this form to TRICARE in order for TRICARE to pay the medical bill. If you fail to complete and submit this form within 1 year from the date of your medical treatment, you may have to pay the medical bill! If you have further questions or concerns, please contact FPCO at 337-531-2129/1197 for further information.

Article 139

1. Another soldier in my barracks broke into my wall-locker and stole my stereo and all my CDs. He got an Article 15, but he won't give me back my property. What can I do?

You should file a claim under the provisions of Article 139, UCMJ. This law is separate from any other administrative or legal proceeding. Article 139 may apply if a Soldier willfully damages or wrongfully takes property. Contact the Fort Polk Claims Office (FPCO) at 337-531-2129/1197 as soon as possible for further information on filing an Article 139 claim. The FPCO will provide you the claim form and submit your claim to the Soldier's command for action. If the accused Soldier's SPCMCA or GCMCA approves payment (after conducting an investigation and legal review), the Defense Accounting Office will take the payment from the accused Soldier's paycheck to compensate the victim. This law does not allow for debt collection or contract claims.

Government Rental Vehicles

1. I was TDY and rented a car. Unfortunately, I got in a car wreck. Now, the rental car company is sending me letters saying I owe them money. Should I pay them?

You must pay the government rate and make sure the rental car company is a participant in the Car Rental Agreement No. 4. Typically, you (and the government) do

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not have to pay the rental car company for damages to the rental vehicle. Contact FPCO at 337-531-2636/1197 for further information.