

What if you missed your two year filing deadline?

Under the provisions of Chapter 11, AR 27-20, implementing Title 31, United States Code, Section 3721, the Army may only pay your claim for damage to, or loss of, personal property incident to service, if you present it, in writing, within two years after the claim accrues. For household goods claims the two-year period begins on the date of delivery. This is a statutory rule that cannot be waived. The law does not authorize the Army to compensate you after the two-year statute of limitations has elapsed. However, that does not mean that you may not receive compensation from the carrier.

As the property owner, you may seek reimbursement for the loss and/or damages directly from the carrier. Carriers that transport property under a Government bill of lading must process claims up to six years after the property's loss and/or damage. You should file any claim against the carrier promptly. To file a claim against the carrier, you must have given the carrier timely notice of all items that have been lost or damaged. Timely notice is given by listing the items on the DD Form 1840 upon delivery or on the DD Form 1840R (reverse side of the DD Form 1840) within 75 calendar days of delivery. These forms must be submitted to your Army claims office.

Because the Army pays timely, meritorious claims, direct claims against private carriers are rare. Carriers are accustomed to communicating with the Government, not the claimant. A carrier may attempt to deny a claim, citing failure to file with the Army within the standard two-year limit. Should a carrier tell you this, be advised that the two-year statute of limitations applies only to claims against the Government, not those filed directly against carriers.

For more information on submitting a claim, please call or visit the Claims Office at the Netherlands Law Center. Claims are received Monday through Friday, 0900-1600 hours. Phone: DSN 360-7683, Commercial +31 (0) 46-443-7683. Location: USAG Schinnen, Building 37, Room 108.