



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN 11, TEXAS

**JOHN BEN SHEPPERD
ATTORNEY GENERAL**

March 13, 1956

Honorable Charles L. Morris
Executive Director
Veterans Affairs Commission
Drawer 11, Capitol Station
Austin, Texas

Letter Opinion No. MS-255

Re: Authority of Veterans
Affairs Commission to
transfer a stenographer
from one office to an-
other upon consolidation
of U.S. Veterans Adminis-
tration offices.

Dear Mr. Morris:

You have requested an opinion concerning the authority for you to transfer one stenographer from the San Antonio Regional Office to the Dallas Regional Office. According to your letter:

"Action taken by the Veterans Administration in closing the Veterans Administration Office in Denver, Colorado, handling death claims for the State of Texas, and consolidating this office with the Dallas Veterans Administration Office, necessitates the need for additional personnel in our Dallas Office to take care of the increased volume of work connected with handling death claims.

". . . The reason for this transfer is that all death claims from the State of Texas, which were formerly handled at the Veterans Administration Office in Denver, Colorado, are being consolidated with the Veterans Administration Regional Office in Dallas."

The rider to the appropriation to the Veterans Affairs Commission contains the following provision, (Ch.519, Acts 54th Leg., 1955, p. 1348 at p. 1528):

"The Veterans Affairs Commission is authorized to transfer positions and appropriations therefor from one hospital or regional office location to another only

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when action by the U. S. Veterans Administration in closing a U. S. Veterans Hospital or regional office or in consolidating such hospitals or offices, makes the transfer of such positions and appropriations necessary and desirable in order to render effectively the services to veterans provided by the appropriations specified above." (Emphasis added)

In Opinion MS-245 (1955), this office held that no item appropriated for one office can be expended or used in another office unless the expenditure falls within the exception contained in the rider quoted above.

It was held that this exception applies only when action by the Veterans Administration closes a Regional Office or consolidates such hospitals or offices. Under the facts submitted, it is our opinion that the transfer is authorized by the rider in the Appropriation Act and you have authority to transfer a stenographer from the San Antonio Regional Office to the Dallas Regional Office.

Yours very truly,

JOHN BEN SHEPPERD
Attorney General

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