



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

October 31, 2012

CBCA 3027-RELO

In the Matter of GAYLE YANTZI

Gayle Yantzi, Lawrence, KS, Claimant.

Shelia A. Fant, Chief, Fiscal Services Branch, Food Safety and Inspection Service, Department of Agriculture, Beltsville, MD, appearing for Department of Agriculture.

GOODMAN, Board Judge.

The Department of Agriculture has requested an advance decision from this Board as to whether claimant, an agency employee, may be authorized to ship her privately-owned vehicle (POV) in connection with her permanent change of station (PCS) move. The agency states that agency relocation policy authorizes qualified employees to ship one POV in connection with their transfer to their new duty station. However, claimant was not authorized to ship her POV because the distance between her old and new duty stations is only 570 miles.

The relevant provision of the Federal Travel Regulation, 41 CFR 302-9.301 (2011), states that the agency will authorize transportation of a POV within the Continental United States only when the distance that the POV is to be shipped is 600 miles or more. The agency's request states that the agency "would like an advance decision from the Board if [the agency] could round-up the mileage restriction to allow the shipment of her POV."

By asking if the agency could "round-up the mileage restriction," the agency appears to be asking if it could authorize shipping the POV, since the distance between the employee's old and new duty stations is less than the 600 mile minimum specified in the regulation.

Decision

Because the distance between the employee's old and new duty stations is less than the minimum distance specified in the regulation, the employee is not entitled to reimbursement of costs for shipping her POV. There is no provision in law or regulation that allows an agency to create entitlement in these circumstances.

ALLAN H. GOODMAN
Board Judge