



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

August 25, 2014

CBCA 3638-RELO

In the Matter of JODI R. PYLE-VANDERSYS

Jodi R. Pyle-VanderSys, Colorado Springs, CO, Claimant.

Christine Boggs, Travel Functional Area, Enterprise Solutions and Standards, Defense Finance and Accounting Service, Department of the Army, Indianapolis, IN, appearing for Department of the Army.

McCANN, Board Judge.

Claimant, Jodi R. Pyle-VanderSys, transferred from Rio Rancho, New Mexico, to Fort Carson, Colorado, in August 2013 under permanent change of station orders. Instead of shipping her household goods (HHG) by government bill of lading (GBL), she chose to rent a truck and move them herself. She has asked the agency for reimbursement of her actual expenses of \$883.95 for the truck rental, \$350.58 for fuel, and \$525 for temporary storage.

The agency does not dispute the incurrence of these costs, but has refused to pay on the ground that it cannot determine whether the costs claimant incurred exceeded what it would have cost the agency to ship her goods by GBL. The agency cannot make this determination because claimant did not submit weight tickets before and after loading her HHG. Such tickets would have enabled the agency to calculate the weight of her HHG, which would have, in turn, allowed the agency to calculate the cost of shipping by GBL. The agency has offered to help claimant reconstruct weight tickets to solve this problem, but claimant has not responded to its offer.

Claimant's travel authorization indicates that she was authorized to use the commuted rate for shipping her HHG. However, in the remarks section it states, "In lieu of GBL, Reimbursement is limited to actual expenses incurred by the employee not to exceed the cost of a Government arranged moved [sic] by \$100.00, receipts must be submitted with the travel

claim voucher.” (Claimant submitted receipts.) The travel authorization further authorized temporary storage of her HHG, and showed that the net weight authorized was 10,000 pounds.

Discussion

The Federal Travel Regulation allows for two methods of reimbursement for the shipment of HHG: the “commuted rate system” and the “actual expense method.” 41 CFR 302-7.14. Claimant’s travel authorization is ambiguous with regard to which method the agency authorized. In any event, without the weight tickets and knowledge of the weight of the HHG it would be impossible to compute the commuted rate or the actual expenses of shipping the goods by GBL. *See* 41 CFR 302-7.100 (commuted rate charges dependent on weight of goods), -7.104(b) (evidence of weight required), -7.200 (actual expenses dependent on weight of goods).

On the record before us, we cannot find that claimant should be reimbursed for the expenses she incurred because she has not provided any evidence of the weight of the HHG she moved. We do note, however, that the Federal Travel Regulation permits the use of a constructive weight based on seven pounds per cubic foot of properly loaded van space when scales are not available. 41 CFR 302-7.13(d). If claimant can provide the agency with a credible description of the goods she moved, along with dimensions of those goods, the agency should reimburse her for the actual costs of the move, limited to what the Government would have paid to ship her goods from her old duty station to her new station. Claimant cannot be reimbursed for the storage costs, however, because the receipt does not indicate whom she paid, what the receipt covers, what if anything was stored, or the duration of the storage.

R. ANTHONY McCANN
Board Judge