



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

April 25, 2025

CBCA 8358-RELO

In the Matter of DERRICK L.

Derrick L., Claimant.

Connie J. Rabel, Director, Travel Mission Area, Enterprise Solutions and Standards, Defense Finance and Accounting Service, Indianapolis, IN, appearing for Department of Defense.

BEARDSLEY, Board Judge (Chair).

Claimant, a civilian employee of the Department of the Army, requests that the Board cancel his debt for exceeding the maximum weight allowance for his shipment of household goods (HHG). The Board denies claimant's request and finds that claimant must pay the cost of the excess weight for his HHG.

Background

On October 23, 2023, claimant received orders for a permanent change of station (PCS) from Glynco, Georgia to Fort Eisenhower, Georgia. The weight allowance for the shipment of claimant's HHG was 18,000 pounds. *See* Request/Authorization for DOD Civilian Permanent Duty or Temporary Change of Station (TCS) Travel, at 2 ("Shipment of HHG, goods in storage and prior shipments may not exceed 18,000 lbs total weight.").

Prior to his move, a representative from a transportation service provider (TSP) inspected claimant's HHG and estimated that it weighed approximately 18,000-20,000 pounds. Claimant reported in his January 9, 2024, email that a "person came out and gave us an estimate for our move . . . at 18,000-20,000 [pounds]." Claimant indicated that his family planned their move around the weight estimate and "did our best to make sure [they]

were at or below the 18,000 LBS.” *Id.* The TSP estimate recorded in the Defense Personal Property System (DPS) was 18,000 pounds. On the day of claimant’s move, however, after packing the moving truck, the movers estimated that claimant’s HHG weighed approximately 23,000 pounds. *Id.* Claimant lodged complaints about the 23,000 pound estimate with TSP Jacksonville and with the DPS call center. Claimant’s move proceeded as scheduled. After moving, claimant received a debt notification from the Defense Finance and Accounting Service (DFAS) Debt Management Department stating that claimant’s HHG weighed 22,020 pounds and cost \$32,058.52 to ship.

DFAS calculated claimant’s debt owed using the formula: “Excess ÷ Gross x Total Actual Cost = Amount Due.” To calculate claimant’s excess weight, DFAS first reduced the gross weight of claimant’s HHG (22,020 pounds) by ten percent to offset the weight of packing materials. The result was an adjusted gross weight of 19,818 pounds. DFAS then took the adjusted gross weight and subtracted the maximum HHG weight allowance of 18,000 pounds leaving an excess weight of 1818 pounds. DFAS then input 1818 pounds into the formula above and calculated \$2646.79 ($1818 \div 22,020 \times \$32,058.52 = \$2646.79$) as the amount claimant owed.

Claimant requests that the Board cancel his \$2646.79 debt because the TSP representative’s estimate of claimant’s HHG weight was not accurate.

Discussion

When a civilian employee transfers to a new duty station, the Government pays for the cost to transport HHG “not in excess of 18,000 pounds net weight.” 5 U.S.C. § 5724(a)(2) (2018); *see also* Joint Travel Regulations (JTR) 054304 (Oct. 2023); 41 CFR 302-7.2(a) (2023) (Federal Travel Regulation (FTR) 302-7.2). Claimant is responsible for “HHG-related costs as a result of weight greater than the authorized weight allowance.” JTR 054305, Table 5-89 2.b. “Under no circumstances may the Government pay any expenses associated with excess weight.” JTR 054304.

Claimant contends that he should not be responsible for the cost of the excess weight because the TSP mismanaged the move by giving him an erroneous weight estimate, the process was unfair, and he suffered undue hardship. However, the erroneous weight estimate “does not create an entitlement to reimbursement for or shipment of HHG in excess of the weight allowed by statute.” JTR 054304-C; *see Richard T. Roell*, CBCA 1983-RELO, 10-2 BCA ¶ 34,580, at 170,483 (citing *Bruce Bryant*, CBCA 901-RELO, 08-1 BCA ¶ 33,737 (2007)). Moreover, “the failure of the agency to notify claimant of excess weight provides no basis for relief.” *Richard T. Roell*, 10-2 BCA at 170,483 (citing *Marina A. Galindo*, GSBGA 15501-RELO, 02-1 BCA ¶ 31,775, at 156,915 (relief for excess weight costs was

denied despite the employee being told before shipment that the weight of the shipment did not exceed 18,000 pounds)). Claimant must pay the cost of his HHG's excess weight.

When calculating the amount of claimant's debt owed, DFAS reduced the gross weight of claimant's HHG by ten percent to account for packing materials. Neither the JTR, FTR, nor any statute supports this ten percent weight reduction. *See Mindi K.*, CBCA 8090-RELO, 24-1 BCA ¶ 38,610, at 187,684 n.2. Instead, if "the move was classified as an 'uncrated or van line shipment,' only 2000 pounds may be deducted from the gross weight for packing materials. 41 CFR 301-7.2; JTR 054304." *Id.* Here, according to the bill of lading, claimant's HHG was transported uncrated and by van line requiring "a 2,000 pound allowance [to be] added to the maximum weight allowance to cover packing materials." JTR 054304. When calculating claimant's debt owed for an excess weight shipment, therefore, DFAS should have reduced the gross weight of claimant's HHG by 2000 pounds, not by ten percent.

Decision

The claim is denied. DFAS should recalculate claimant's debt owed in accordance with this decision.

Erica S. Beardsley
ERICA S. BEARDSLEY
Board Judge