



COMPTROLLER GENERAL, OF THE UNITED STATES
WASHINGTON, D.C. 20548

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B-179146

September 28, 1973

Mr. Rufus E. Bareither
950 Tasman Drive, Space 53
Sunnyvale, California 94086

Dear Mr. Bareither:

This refers to your letter of June 8, 1973, wherein you request a review of the settlement of the Transportation and Claims Division of our Office dated April 5, 1973, which allowed the sum of \$1,279.95 of the total of \$2,025.03 you claimed as expenses incurred incident to a change of station from Los Angeles, California, to Menlo Park, California, in March 1972 as an employee of the Geological Survey, United States Department of the Interior.

You say that the difference in what was claimed and what was allowed was mainly because you were not allowed the cost incurred in the disassemble and assembling of your mobile home. While you claimed a \$200 miscellaneous expense allowance you were allowed \$607.20 which was the maximum allowance which could be paid under section 3.3b of Office of Management and Budget Circular No. A-56, revised August 17, 1971. The miscellaneous allowance covers general types of costs inherent in relocation of a place of residence including costs involved in the relocation of a mobile home other than costs of transportation.

You claimed the following expenses incurred incident to the shipment of your 24 x 60 foot mobile home which was transported in two parts:

Transportation 400 miles at 59 cents per mile	\$ 236.00
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Disassemble and reassemble of mobile home sections	\$25.00
Redwood pads	40.00
Carport disassemble	85.50
Patio awning disassemble and assemble	171.00
Skirting disassemble and assemble	162.00

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Storage shed disassemble and assembled	\$ 25.00
Refrigeration unit disassembled and assembled	50.00
2 steps disassembled and assembled	20.00
2 hitches disassembled and assembled	<u>20.00</u>
Total	\$1,470.50

U-Haul trailer rental used in official transfer \$ 29.87

Of the amounts set out above you were allowed \$472 representing reimbursement for the cost of transporting the two sections of your expandable trailer.

Payment of the cost of transporting an employee's "house trailer or mobile dwelling" incident to a permanent change of station is authorized by 5 U.S.C. 5724(b) which provides as follows:

"(b) Under such regulations as the President may prescribe, an employee who transports a house trailer or mobile dwelling inside the continental United States, inside Alaska, or between the continental United States and Alaska, for use as a residence, and who otherwise would be entitled to transportation of household goods and personal effects under subsection (a) of this section, is entitled, instead of that transportation, to—

"(1) a reasonable allowance not in excess of 20 cents a mile for transportation of the house trailer or mobile dwelling, if the trailer or dwelling is transported by the employee; or

"(2) commercial transportation of the house trailer or mobile dwelling, at Government expense, or reimbursement to the employee therefor, including the payment of necessary tolls, charges, and permit fees, if the trailer or dwelling is not transported by the employee.

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However, payment under this subsection may not exceed the maximum payment to which the employee otherwise would be entitled under subsection (a) of this section for transportation and temporary storage of his household goods and personal effects in connection with this transfer."

Section 9 of Office of Management and Budget Circular No. A-56, revised August 17, 1971, in effect at the time of your transfer, which was issued pursuant to a delegation of authority from the President contained in Executive Order No. 11230 of June 28, 1965, as amended, contains binding regulations with regard to payment by the Government of expenses incurred under the authority of the quoted statute. Paragraph 9.3 enumerates the expenses that may and may not be paid by the Government incident to commercial transportation of a mobile home as follows:

"9.3 Computation of allowances

"a. Transportation by a commercial carrier

"(1) Tariff rates. The allowance shall include the carrier's charges for actual transportation of the mobile home in an amount not exceeding the applicable tariff as approved by the Interstate Commerce Commission (or appropriate State regulatory body for intrastate movements) for transportation of a mobile home of the size and type involved for the distance involved, provided any substantial deviation from mileage shown in the standard highway mileage guides shall be explained.

"(2) Fees, tolls and charges. The allowance also shall include ferry fares and bridges, road, and tunnel tolls, taxes, charges or fees fixed by a State or other government authority for permits to transport mobile homes in or through its jurisdiction and carriers' service charges for obtaining necessary permits.

"(3) Charges excluded. Allowances shall not include costs of preparing mobile homes for movement, maintenance, repairs, storage, insurance for valuation of homes

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above carriers' maximum responsibility, nor charges designated in the tariffs as 'Special Service.' But see section 3 which relates to the miscellaneous expense allowance."

All of the charges for which you claim reimbursement except the actual transportation charges are not reimbursable under that section. Reimbursement of the cost of preparing a mobile home for movement is specifically prohibited and the cost of reassembly is not listed as a reimbursable item. Further, this Office has consistently disallowed reimbursement of the costs of disassembly and reassembly under the law and regulations pertaining to the transportation of mobile homes. See B-172094, July 20, 1971, copy enclosed. However, as noted above those expenses may be considered in determining the employee's entitlement to a miscellaneous expense allowance. See section 3.1b(2) of Circular No. A-56, supra. Since you have been reimbursed the transportation charges allowable as well as the maximum miscellaneous expense allowance no further reimbursement may be allowed.

That part of your claim for reimbursement of the cost of a U-Haul trailer was properly disallowed since section 9.1a of the quoted regulations provides that an employee who is entitled to transportation of his household goods shall, in lieu of such transportation, be entitled to an allowance for the transportation of a mobile home for use as a residence.

You state that since you saved the Government money by not selling your mobile home and purchasing a new mobile home or house at your new duty station the Government should reimburse you all the expenses involved. However, such fact cannot serve as a basis for allowing your claim since any reimbursement you are entitled to for moving your mobile home is governed by the law and regulations as discussed above.

Sincerely yours,

Paul G. Dembling

Acting Comptroller General
of the United States