

DECISION

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

FILE: B-185577

DATE: APR 28 1976

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MATTER OF: John L. Connor - Transportation of household effects

DIGEST: Employee authorized reimbursement for transportation of household goods on a commuted rate basis, who rented U-Haul truck and because of icy road conditions traveled by indirect route to new duty station, may not be reimbursed transportation costs on basis of commuted rate computed for actual distance traveled. Under Federal Travel Regulations (FPMR 101-7) para. 2-8.3a(2) (May 1973) the distance to be used in determining entitlement on a commuted rate basis is that shown on the household goods mileage guides filed with the Interstate Commerce Commission.

By letter of December 16, 1975, an authorized certifying officer for the Department of Agriculture requested the opinion of this Office concerning the propriety of certifying for payment a reclaim voucher in the amount of \$278.40 submitted by John L. Connor, an employee of the Department.

The voucher in question is for transportation expenses in connection with Mr. Connor's transfer from Meeker, Colorado, to Santa Fe, New Mexico, in February 1975. For purposes of that transfer, Mr. Connor was authorized "transportation and storage of household goods and personal effects by commuted rate method." He has been reimbursed for transportation of those items on a commuted rate basis. The computation of his entitlement was in part based upon transportation of 8,000 pounds of household goods a distance of 427 miles. That distance was determined in accordance with Federal Travel Regulations (FPMR 101-7) para. 2-8.3(2) (May 1973) and was based on mileage guides filed with the Interstate Commerce Commission.

Mr. Connor's claim for \$278.40 is predicated on the fact that he was unable to drive the rented U-Haul truck used to transport his household goods by the most direct route to Santa Fe. Because of snow conditions, he found it necessary to reroute his travel. For this reason he claims reimbursement on the basis of a total distance traveled of 880 miles. His reclaim voucher is supported by the statement of his supervisor indicating that he approved Mr. Connor's travel

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westward by indirect route due to storm conditions. In addition Mr. Connor has submitted a letter from the Chief Engineer, Colorado State Department of Highways, indicating that while road SH 24 between Minturn and Leadville, Colorado, was not closed on February 2, 1975, the roadway was icy and a storm did move into the area in the late afternoon bringing snow that evening.

As a legal basis for his claim, Mr. Connor relies on our holding in 28 Comp. Gen. 708 (1949) allowing payment of a mileage allowance for indirect routing of travel due to icy road conditions. That decision is merely an amplification of our prior holding in 26 Comp. Gen. 463 (1946) that there was no basis under regulations then in effect for payment of mileage in excess of that indicated in the Standard Mileage Table in the absence of a specific showing as to actual official necessity for traveling a greater distance. Neither decision is pertinent to the determination of questions relating to the transportation of household goods and personal effects pursuant to the authority of 5 U. S. C. § 5724(a)(2).

Paragraph 2-8.3c of the Federal Travel Regulations provides that, in general, transportation of household goods and personal effects is to be authorized on a commuted rate basis and sets forth the limited circumstances under which payment may be authorized on an actual expense basis. In regard to reimbursement on a commuted rate basis, paragraph 2-8.3a(2) of the Federal Travel Regulations provides:

"(2) Reimbursement. When the commuted rate system is used, the amount to be paid to the employee for transportation and related services is computed by multiplying the number of hundreds of pounds shipped (within the maximum weight allowances) by the applicable rate per hundred pounds for the distance shipped as shown in the commuted rate schedule. The distance shall be determined in accordance with household goods mileage guides filed with the Interstate Commerce Commission. * * *"

Where an employee is authorized reimbursement for transportation of household goods and personal effects under the commuted rate system, his entitlement is required to be computed on the above basis. Even in the case where an employee incurs unanticipated costs in excess of

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of that to which he is entitled on a commuted rate basis, his reimbursement is limited to the applicable commuted rate. Our decision B-172017, March 16, 1971, involved a situation in which an employee incurred costs of \$75 over and above the applicable commuted rate as a result of adverse road conditions due to heavy snow and high winds. Because of these conditions, the commercial household goods carrier engaged by the employee found it necessary to use "snow shuttle" service. Specifically, the carrier had to pick up the employee's household goods in a small van and shuttle them to a point where they could be transferred to a regular van for ultimate shipment to the new duty station. Reimbursement for the additional expense incurred was denied on the basis that the employee had been properly reimbursed on the commuted rate basis and that there was no authority for reimbursing him additional amounts. In this connection we note that while road conditions may have inconvenienced Mr. Connor and occasioned him some additional costs, those costs have been fully covered by the payment of \$1,036 (subsequently recomputed as \$1,008) already made under the commuted rate system. The record indicates that instead of hiring a commercial mover, Mr. Connor chose to transport his household goods himself. The rental of a U-Haul van for that purpose was \$303.55.

For the reasons expressed above, Mr. Connor's reclaim voucher may not be certified for payment.

PAUL G. DEMBLING

For the

Comptroller General
of the United States