

PLM 2

**DECISION**



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

27004

**FILE:** B-212244

**DATE:** December 16, 1983

**MATTER OF:** Vester D. Coffman

**DIGEST:**

Employee, who transported his household goods in a private automobile during a permanent change-of-station move, may not be reimbursed under the commuted rate system. Under applicable regulations the constructive weight of goods under the commuted rate system may be computed only on the basis of properly loaded van space. In addition, the employee may not be reimbursed for a house-hunting trip which was not authorized in advance, and the employee's mileage allowance may not be increased to include the travel of family members who did not move to the new duty station within 2 years of the effective date of the employee's transfer.

Mr. Vester D. Coffman requests reconsideration of his claim for transportation of additional household goods, a house-hunting trip, and an increased mileage allowance for his transfer from Forest Park, Illinois, to Crane, Indiana, in 1971.<sup>1</sup> We conclude that he is not entitled to reimbursement for those items and sustain the denial of his claim.

BACKGROUND

Mr. Coffman, an employee of the Department of the Navy, was authorized permanent change of duty station allowances for his transfer from the Naval Ordnance Station, Forest Park, Illinois, to the Naval Ammunition Depot, Crane, Indiana, in travel orders issued on January 5, 1971. He reported for work at his new duty station on January 11, 1971. However, his family did not move to the new duty station until February 1973.

<sup>1</sup> Mr. Coffman requests reconsideration of the action of our Claims Division (now Claims Group, AFMD) in Settlement Certificate Number Z-2513078 issued March 30, 1978, and that settlement is reviewed here under the provisions of 4 C.F.R. part 32.

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Mr. Coffman received a travel advance of \$1,725. The Department of the Navy allowed \$1,355.80 in relocation expenses and required him to repay \$409.20.<sup>2</sup> His claim for reimbursement of other expenses including transportation of additional household goods, a house-hunting trip, and reimbursement of mileage at a higher rate was disallowed by our Claims Division on March 30, 1978.

#### Claim for Shipment of Additional Household Goods

Mr. Coffman was reimbursed by the Navy in the amount of \$810.68 for moving 7,987 pounds of household goods in a rental truck on December 28 and 29, 1972. He claims reimbursement for an additional 3,150 pounds moved in his automobile on 30 separate trips between his new duty station in Indiana and his former residence in Illinois at various unspecified times during 1971 and 1972.<sup>3</sup> This claim was disallowed by our Claims Division on the basis of insufficient documentation.

#### House-hunting Trip and Mileage

Mr. Coffman claims reimbursement for a constructive house-hunting trip of 6 days based on travel performed by his wife on several unspecified occasions in 1971 and 1972 to look for suitable quarters near Crane, Indiana. In addition, he claims reimbursement for mileage at a rate of 12 cents per mile as stated in his travel orders instead of the 6 cent rate at which he was reimbursed, for a one-way

<sup>2</sup> Of the \$409.20, \$40 represented Federal income tax withholding on Mr. Coffman's miscellaneous moving expenses allowance and was not disputed by Mr. Coffman. Therefore, the adjudication of our Claims Division involved a debt of \$369.20 (\$409.20-\$40). Mr. Coffman's allowable expenses as determined by the Navy consisted of per diem (\$6.25), mileage (\$15.36), temporary quarters (\$323.51), miscellaneous (\$200), and household goods (\$810.68) for a total of \$1,355.80.

<sup>3</sup> This claim is based on a constructive weight of 3,150 pounds derived as follows: 15 cubic feet of space in his automobile at 7 pounds per cubic foot equals 105 pounds of household goods per trip. Thirty trips at 105 pounds equals 3,150 pounds.

automobile trip from Forest Park, Illinois, to Crane, Indiana, to complete the family's move.

#### DISCUSSION

At the time of Mr. Coffman's transfer, relocation allowances for Federal employees were authorized by 5 U.S.C. §§ 5724 and 5724a as implemented by Bureau of the Budget Circular A-56, revised June 26, 1969, and, for Department of Defense civilian employees, further implemented by Volume 2 of the Joint Travel Regulations (2 JTR).

#### Household Goods

Section 5724(c) of title 5, United States Code, provides:

"(c) Under such regulations as the President may prescribe, an employee who transfers between points inside the continental United States, instead of being paid for the actual expenses of transporting, packing, crating, temporarily storing, draying, and unpacking of household goods and personal effects, shall be reimbursed on a commuted basis at the rates per 100 pounds that are fixed by zones in the regulations. The reimbursement may not exceed the amount which would be allowable for the authorized weight allowance. \* \* \*"

For reimbursement under the commuted rate system, section 6.4d(3) of Bureau of the Budget Circular A-56, applicable at the time of Mr. Coffman's transfer, provided:

"(3) Documentation required. Claims for reimbursement under the commuted rate system shall be supported by (a) the original or a certified copy of the receipted warehouse bill for temporary storage and (b) in support of transportation, the original bills of lading or certified copies, or, if bills of lading are not available, other evidence showing point or origin, destination and

weight. If no adequate scale is available at point of origin, at any point en route, or at destination, a constructive weight, based on 7 pounds per cubic foot of properly loaded van space, may be used.\* \* \*"

Similar language is found at 2 JTR C10006 (Ch. 63, Jan. 1, 1971).

Under that regulation, the weight of household goods transported for the purpose of computing the commuted rate of payment allowable must be determined either by the actual weight of the goods or by their constructive weight determined on the basis of the space occupied when properly loaded for shipment in a van. When an employee fails to obtain the actual weight of his household goods at the time of transportation, he may be paid at the commuted rate only if he is able to show the amount of space occupied by his goods and that the goods were properly loaded in the space available. See 48 Comp. Gen. 115 (1968).

Mr. Coffman's claim was disallowed in the settlement of March 30, 1978, on the basis of insufficient documentation including point of origin, the destination, and the weight (either actual or constructive).<sup>4</sup>

Mr. Coffman's claim for reimbursement of transportation of additional household goods is based on 30 trips in an automobile between his old and new duty stations. On each occasion he claims to have carried 15 cubic feet of household goods, but the dates of shipment and the items transported are not described. Since Mr. Coffman has not produced adequate evidence of the actual or constructive weight of his household goods, the disallowance of his claim for reimbursement under the commuted rate system for transportation of those household goods is sustained.

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<sup>4</sup> The settlement of March 30, 1978, referred to 2 JTR C8008 in disallowing the claim for shipment of additional household goods. The reference should have been to para. C10006 for travel occurring in 1971-72. While para. C8008 is virtually identical to para. C10006, Vol. 2 of the JTR's was renumbered in 1976 and para. C10006 became para. C8008.

### House-hunting Trip

The authority to reimburse an employee and his spouse for a house-hunting trip is found at 5 U.S.C. § 5724a(a)(2) as implemented by section 2.4 of Bureau of the Budget Circular A-56. Section 2.4 provides that an appropriate official "will make the decision as to whether such a trip will be authorized."

We have held that there is no authority to reimburse an employee for travel to seek residence quarters unless that travel has been specifically authorized in advance. 48 Comp. Gen. 115 (1966); Matter of Mayes, B-182508, June 3, 1975. Since Mr. Coffman's travel orders did not authorize a house-hunting trip, there is no authority for reimbursement of amounts claimed for that purpose.

### Mileage Rate

Mr. Coffman's claim for reimbursement of mileage at a rate of 12 cents per mile is based on a statement in his travel orders which authorized that mileage rate. Bureau of the Budget Circular A-56 at section 2.3a(1) authorized mileage allowances for travel on a permanent change-of-station move of 6 cents per mile for an employee traveling alone in an automobile, and 12 cents per mile for an employee traveling in an automobile with three other members of his family. Mr. Coffman's travel orders authorized relocation expenses for himself, his wife, and their two children; thus his mileage allowance was computed on the basis of four family members traveling together for purposes of filling out his orders. However, since the members of his family did not personally move to Indiana within 2 years, his reimbursement had to be reduced to the 6 cent mileage rate authorized for an employee traveling alone.<sup>5</sup> Hence, the disallowance of his claim for reimbursement of mileage at the 12 cents per mile rate was proper.

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<sup>5</sup> Section 1.3b, Bureau of the Budget Circular A-56, states that, "The maximum time for beginning allowable travel and transportation will not exceed two years from the effective date of the employee's transfer or appointment \* \* \*." The effective date of Mr. Coffman's transfer was January 11, 1971, and his family did not join him until February 1973.

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Accordingly, we sustain our Claims Division's settlement disallowing all additional amounts claimed by Mr. Coffman.

*for* Milton J. Fowler  
Comptroller General  
of the United States