



The Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

Matter of: Timothy Shaffer - Transportation of Household Goods

File: B-223607

Date: December 24, 1986

### DIGEST

Employee of the Internal Revenue Service chose to move his own household goods by private conveyance after agency advised employee that cost comparison between commuted rate and actual expense methods of transporting household goods showed that actual expense method using a Government Bill of Lading (GBL) would be the most economical and, therefore, reimbursement would be limited to the GBL amount. Since the employee chose to use a method other than the authorized method, he can only be reimbursed for the costs he actually incurred in moving his household goods. He may not be reimbursed the GBL amount authorized unless his actual costs are equal to or exceed the GBL amount authorized under the actual expense method. 41 C.F.R. § 101-40.203-2(d).

### DECISION

G. Fannin, an Authorized Certifying Officer with the Internal Revenue Service, requests an advance decision concerning the claim of Mr. Timothy Shaffer for household goods moving expenses incurred in connection with his change of official station from Cincinnati, Ohio, to Indianapolis, Indiana, in November 1985. Under the regulatory authority controlling Mr. Shaffer's household goods move, and where Mr. Shaffer determined for personal reasons to make arrangements for and ship his own household goods, the agency must limit reimbursement to the actual costs he incurred in moving his household goods.

### BACKGROUND

Mr. Shaffer was transferred from Cincinnati to Indianapolis with a reporting date of November 18, 1985. Pursuant to a travel authorization dated September 30, 1985, transportation of Mr. Shaffer's household goods was authorized by Government Bill of Lading (GBL) with an estimated net weight of 18,000 pounds. On November 4, 1985, an employee in the Facilities Management Branch, Indianapolis District, contacted the General Services Administration (GSA) for a cost comparison

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between the commuted rate method and the actual expense method (GBL)<sup>1/</sup> of transporting Mr. Shaffer's household goods. It was determined that the actual expense method (GBL) would be the most economical means of transporting the goods, and Mr. Shaffer was advised that his reimbursement would be limited to the maximum amount authorized for moving his household goods under the actual expense method.

Mr. Shaffer apparently understood this limitation on his reimbursement to mean that, if he moved himself, he would be entitled to the amount authorized for moving his household goods under the GBL method. As a result, the agency reports that, during the period from December 1985 to February 1986, Mr. Shaffer transported approximately 15,450 pounds of household goods in six round trips using a rental truck or other private conveyance. Upon completion of his move Mr. Shaffer submitted a voucher claiming the entire amount which he would have been reimbursed under the actual expense (GBL) method, a total of \$3,538.06, although receipts attached to the voucher indicated that Mr. Shaffer actually incurred costs of only \$191.95, supplemented by labor costs of \$235.00, for which no receipts were submitted. --

The certifying officer contacted Mr. Shaffer to notify him that he could not be reimbursed the \$3,538.06 claimed unless he had actual costs totaling this amount. He advised Mr. Shaffer that only \$191.95 could be reimbursed and that, if he had incurred any other valid expenses, such as packing materials, gasoline, or labor charges, he could claim these only with receipts showing that he actually incurred such expenses. Mr. Shaffer disputes this limitation on his claim, and the certifying officer has asked this Office whether or not an exception to the regulations may be made in Mr. Shaffer's case so as to reimburse him at the full GBL rate.

#### THE REGULATIONS

Section 5724(c) of title 5, United States Code (1982) provides that, under regulations prescribed by the President, an employee who transfers between points inside the

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<sup>1/</sup> Effective July 3, 1986, GSA changed the terminology of the "actual expense" method to "GBL method" to remove any confusion that may arise in describing out-of-pocket moving expenses. 51 Fed. Reg. 24,329 (1986).

continental United States, instead of being paid for the actual expenses of transporting his household goods and personal effects, shall be reimbursed on a commuted rate basis unless the head of the agency determines that payment of actual expenses is more economical. Pursuant to this delegation the General Services Administration's Centralized Household Goods Traffic Management Program was established to assist agencies in making the determination as to the most economical method; that is, whether to use commuted rate or actual expense for the shipment of the employee's household goods. This program was initially implemented in the Federal Property Management Regulation Temporary Regulation A-12 (January 26, 1978) and was later modified and published as a permanent regulation in Subpart 101-40.2. (See 45 Fed. Reg. 85755, December 30, 1980.) The authority at 41 C.F.R. § 101-40.203-2(b) therefore controls Mr. Shaffer's household goods entitlement. In addition, the regulations reflect the holdings of several Comptroller General decisions that, once an administrative determination is made as to the most economical method of payment or reimbursement, that is, whether the household goods should be shipped by commuted rate or by actual expense, the employee's reimbursement is limited by the method authorized. John S. Phillips, 62 Comp. Gen. 375 (1983).

#### OPINION

Mr. Shaffer chose to move his household goods by a method other than a Government Bill of Lading, even though prior to the initiation of his self-move the agency had determined that the GBL method was the most economical. Thus, pursuant to 41 C.F.R. § 101-40.203-2(b), once that method is authorized as the most economical means of shipment and the employee chooses to move his household goods by some other means, reimbursement is limited to the cost that would have been incurred by the Government if the shipment would have been made in one lot from one origin to one destination by the available low-cost carrier on a Government Bill of Lading. More specifically, under 41 C.F.R. § 101-40.203-2(d), when an employee, such as Mr. Shaffer, chooses to use a rental truck or private conveyance, reimbursement is limited to the actually incurred costs, that is, truck rental, packaging materials, gasoline, labor expenses, toll charges, etc., not to exceed the maximum GBL amount authorized.

Accordingly, in Mr. Shaffer's case, since he chose to use a method other than the authorized actual expense method, he

can only be reimbursed for the costs actually incurred in moving his household goods. He may not be reimbursed the maximum GBL amount authorized, unless his actual costs are equal to or greater than the maximum amount authorized under the actual expense method. Since, as we reasoned in John S. Phillips, 62 Comp. Gen. 375, supra, the controlling regulations have been properly issued by the General Services Administration under a statutory grant of authority having the force and effect of law, there is no basis for the Internal Revenue Service to make any exception from their provisions in Mr. Shaffer's case. Therefore, Mr. Shaffer may not receive household goods moving expenses in excess of the actually incurred costs which he has claimed. He may, however, be reimbursed for any labor costs he actually paid in connection with his move upon the submission of proper evidence of such payment.

*Milton J. Fowler*

Acting Comptroller General  
of the United States