

DECISION

D. M. ...
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548
RM II
7963

FILE: B-191518

DATE: October 10, 1978

MATTER OF: Alan Lee Olson - Transportation of household effects, computation of excess weight charges

SIGEST: Each agency is responsible for determining whether the computed rate system or the actual expense method will be used for transportation of an employee's household goods. Where the actual expense method is used, the applicable regulation requires that the computation of employee's charges for excess weight be based on its ratio to the total weight shipped. Employee must pay the charges for the excess weight based on a ratio of the total weight shipped.

This action is at the request of Helen R. Machin, Authorized Certifying Officer, National Oceanic and Atmospheric Administration (NOAA), for an advance decision concerning excess weight charges of Mr. Alan Lee Olson.

Mr. Olson, an employee of the National Weather Service, was authorized a permanent change of station from Millington, Tennessee, to Huntsville, Alabama, a distance of 216 miles. Shipment of his household effects was accomplished under a Government Bill of Lading (GBL). The household effects weighed 15,940 pounds which is 4,940 pounds over the limit authorized of 11,000 pounds. The charges applicable to the excess weight were computed by NOAA pursuant to the Federal Travel Regulations (FTR)-FPMR 101-7, paragraph 2-8.3b(5). The amount calculated together with \$78.80 of other disallowed charges amounted to \$850.75.

Mr. Olson does not question the disallowed charges but has questioned the method of computing the excess weight charges. He contends that the computation should have been based on the constructive cost of an 11,000 pound shipment. Using this approach, he arrived at the "cost of transportation and other charges applicable to the excess weight" of \$419.83 by finding the difference between the constructive cost and actual carrier charges. Combined with the disallowed charges, Mr. Olson arrives at an amount of \$498.63. The basic difference results from the fact that the charge for the total weight of the shipment of approximately 16,000 pounds was at the rate of \$4.90 per hwt.

B-191518

The shipping charges for 11,000 pounds on a constructive basis would be at the rate of \$5.25 per hwt.

Subsection 5724(a) of title 5, United States Code, grants to the President discretionary authority to prescribe regulations for the payment of travel and transportation expenses of employees transferred in the interest of the Government from one official station or agency to another. The expenses of transporting, packing, crating, temporarily storing, draying and unpacking household goods and personal effects is limited by 5 U.S.C. 5724(a)(2) to not in excess of 11,000 pounds net weight.

Implementing regulations for the transportation and temporary storage of household goods are found in the FTR, Chapter 2, Part 8 (FPMR 101-7). In paragraph 2-8.2a. of those regulations a maximum weight allowance of 11,000 pounds has been established for employees with immediate families. The regulations permit shipment based upon either a computed rate system or an actual expense system.

In paragraph 2-8.3b(5) a procedure is prescribed for determining the charges payable by the employee for excess weight when the actual expense method of shipment is used. That paragraph reads as follows:

"(5) Excess weight procedures. When the weight of an employee's household goods exceeds the maximum weight limitation, the total quantity may be shipped on a Government bill of lading, but the employee shall reimburse the Government for the cost of transportation and other charges applicable to the excess weight, computed from the total charges according to the ratio of excess weight to the total weight of the shipment."

Under the actual expense method an employee whose household goods shipment exceeds the maximum of 11,000 pounds has the option of shipping the excess weight on his own or to allow it to be shipped on a GBL together with the 11,000 pounds authorized and reimbursing the Government for the excess weight using the formula as prescribed in paragraph 2-8.3b(5) of the FTR.

Each agency of the Government is responsible for determining whether the commuted rate system or the actual expense method

B-191518

(Government Bill of Lading) will be used for transportation of an employee's household goods. The primary reason for utilizing the actual expense method of shipment in a given case is that such method will result in costs to the Government substantially lower than the commuted rate. See B-169407, September 15, 1970. Thus, Mr. Olson's argument for his method of computation set forth above is without merit.

Accordingly, the computations made by NOAA as prescribed by paragraph 2-8.3.b(5) are correct and the amount of indebtedness payable by Mr. Olson to NOAA is \$850.75.

Deputy

R. F. K. M.
Comptroller General
of the United States