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DECISION



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

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FILE: B-191016

DATE: April 20, 1979

MATTER OF: Do-it-yourself household goods shipments

DIGEST:

The military services' requirements that in order to qualify for an incentive payment under the "do-it-yourself" household goods moving program, a member must have certified scale weight certificates showing both the empty and loaded weight of the vehicle used, is in accordance with the authorizing law and Joint Travel Regulations. Although GAO authorized payment in an unusual case based on constructive weight, in the future the services' weight certificates requirement will be followed. B-191016, October 23, 1978, overruled.

The Department of the Air Force requests reconsideration of our decision of October 23, 1978, B-191016, in which we authorized payment on an Air Force member's [claim for an incentive payment under the do-it-yourself household goods moving program]. That decision involved circumstances where, through no fault of the member, weight certificates for part of his household goods could not be secured because he had to move his goods by making several trips using a small trailer and the available certified scale closed before he could weigh all loads. In view of the unusual circumstances and the fact that an Air Force transportation officer had reviewed the matter and had assisted the member in estimating the weight of the goods for which weight certificates could not be obtained, we authorized payment using a constructive weight based on seven pounds per cubic foot.

The Air Force asks reconsideration of the decision indicating that it appears to authorize use of constructive weights to determine the amount of incentive payments under the do-it-yourself program instead of the certified weight tickets required by Air Force regulations. The Air Force believes the use of certificates is essential to the success of the program because there is no other means to accurately compute the cost of a move upon which the incentive payment is made. Specifically, acceptance of estimated weights is not believed to be in the best interests of the Government because, (a) such a relaxation of evidentiary requirements is likely to lead to abuse, (b) Air Force transportation offices do not have sufficient manpower to inspect shipments under the do-it-yourself program, resulting in heavy reliance on weight certificates, (c) the "seven pounds per cubic foot" constructive weight is based

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upon proper packing by professional carriers, whereas members utilizing the do-it-yourself program are inexperienced which allegedly results in loosely packed containers of odd sizes and shapes leading to inaccurate volume estimates and corresponding incentive overpayments, (d) many of the moves utilize leased or privately owned open-top trailers of varying heights, and entrusting members to compute their own volume would severely weaken internal controls, (e) the inventory form DD 1701, from which the dimensions were taken in the October 23, 1978, decision, is being discontinued by all branches of the Defense Department because of inaccuracies, (f) estimated weights have been found to average seven percent greater than "actual weight" and, (g) inventories were never used to compute amounts owed to individuals, but only to inform members of possible excess weight charges prior to the move.

As is indicated above, in view of the unusual circumstances involved in the October 23, 1978, decision, we authorized payment there. However, we did not intend to imply that constructive weights could be routinely substituted for proper weight certificates.

Pursuant to the present Air Force request we have reviewed the law and regulations authorizing the do-it-yourself program in Section 747 of the Department of Defense Appropriation Act, 1976, Public Law 94-212, 90 Stat. 153, 176, and Volume 1, Joint Travel Regulations, paragraphs M8400 and M8401. It is our view that the regulations of the Air Force and the other services, issued pursuant to authority delegated by 1 JTR 8400, legally may require that weight certificates from certified scales showing both the empty and loaded weight of the vehicle must be furnished, as a condition to a member's qualifying for an incentive payment. We find nothing in the law or in the Joint Travel Regulations limiting the authority of the services in this regard. Accordingly, we will apply that requirement of the regulations in the future. B-191016, October 26, 1978, is overruled.


Deputy Comptroller General
of the United States