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DECISION

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

FILE: B-206844 DATE: July 7, 1982

MATTER OF: Chester C. Bryant - Transportation of Household Goods - Commuted Rate

DIGEST: An employee who moved his household goods upon transfer and whose reimbursement was limited to the cost of shipment by GBL claims entitlement to the higher commuted rate. Since the agency did not authorize and ship his goods, reimbursement of actual expenses is incorrect. Employee is entitled to reimbursement under the commuted rate system. Also, a fuel surcharge is not reimbursable since the commuted rate is intended as reimbursement for all transportation costs.

Mr. Chester C. Bryant, an employee of the Bureau of Alcohol, Tobacco and Firearms (BATF), has appealed Settlement Certificate Z-2824594, dated October 8, 1981, by which our Claims Group denied his claim for additional reimbursement of expenses associated with the shipment of his household goods. In November 1979, because of his transfer from Washington, D.C., to Nashville, Tennessee, Mr. Bryant shipped his household goods from Oakton, Virginia, to Nashville by a commercial bill of lading. He received reimbursement for that shipment equal to the amount it would have cost to ship the goods under the actual expense method by Government Bill of Lading (GBL), but claims he should have been reimbursed at the higher commuted rate. We agree.

On February 8, 1978, the General Services Administration (GSA) published Temporary Regulation A-12 of the Federal Property Management Regulations, which established the centralized household goods traffic management program. In connection with that program, paragraph 6b of Temporary Regulation A-12 requires an agency to obtain from the nearest GSA regional office, a cost comparison of the two methods of reimbursing an employee for shipment of his household goods--the actual expense method, and the commuted rate method. Under the actual expense method, the Government assumes responsibility, whereas under the commuted rate the employee makes his own arrangements.

Mr. Bryant declined to have his goods shipped by a GSA selected carrier. By a letter dated October 25, 1979, BATF informed Mr. Bryant that while they would allow him to move his goods under the commuted rate method, his reimbursement could not exceed the lowest rate quoted on the GSA cost comparison list.

BATF's letter of October 25 was based on written agency procedures which provide that if an employee wants to move on the commuted rate schedule and has no legitimate reason for not accepting the assigned carrier, reimbursement will be limited to the lowest rate quoted by a carrier listed by GSA. Since Mr. Bryant failed to explain his refusal to ship his goods by GBL, BATF denied his claim. Mr. Bryant responded to this denial by a memorandum dated April 22, 1980, in which he explained that he had not used a GSA carrier because he had been dissatisfied with one on a previous move and felt he could have more control if he paid the carrier himself.

In Raymond C. Martin, B-196532, July 7, 1980, we were faced with a similar situation. An employee was authorized transportation of household goods on an actual expense basis via a GBL but the travel authorization was subsequently amended to allow the employee to move himself. The employee was reimbursed the actual out-of-pocket expenses he incurred in the move, but he made a claim for the difference between his expenses and the cost of a move by GBL. We held that the agency was incorrect in reimbursing the employee on an actual expense basis stating that the employee should be reimbursed the commuted rate. We based our determination on William K. Mullinax, B-181156, November 19, 1974, in which we held that there is no authority for reimbursement to an employee on a actual expense basis unless his agency has both authorized and shipped his effects on a GBL. In that case we also held that if an employee cannot be reimbursed under the actual expense basis he is entitled to reimbursement under the commuted rate in order to preserve his right to reimbursement of the shipment of his household goods as conferred in 5 U.S.C. § 5724(a)(2) (1976). See also Andres Villarosa, B-201615, September 1, 1981. We believe the cases cited apply in the present situation.

We note that the commuted rate shown in the GSA cost comparison of $15.05 per hundred weight appears to be in

error. Nor is the rate quoted by Mr. Bryant of $23.37 per hundredweight correct. The correct rate seems to be $23.15 per hundredweight. See GSA Bulletin FPMR A-2, Supp. 85, Attachment A (October 25, 1979). Added to this should be the appropriate additional allowances for metropolitan areas as well as a piano carry. FPMR A-2, Supp. 65, Attachment A (September 21, 1976), and Supp. 85, Attachment A (October 25, 1979). GSA should be consulted if there is any problem with the computation. Mr. Bryant also claims a fuel surcharge of $186.67, which is not reimbursable since the commuted rate is intended as reimbursement for all transportation costs. Ronald L. Noller, B-204939, April 5, 1982.

Accordingly, Mr. Bryant's entitlement should be determined under the commuted rate system and our Claim's Group settlement of October 8, 1981, is hereby overruled.

Milton J. Socolar

Acting Comptroller General
of the United States