



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

February 21, 2023

CBCA 7616-RELO

In the Matter of MICHAEL E.

Michael E., Claimant.

Tracey Z. Taylor, Office of Counsel, Humphreys Engineer Support Activity, United States Army Corps of Engineers, Alexandria, VA, appearing for Department of the Army.

GOODMAN, Board Judge.

Claimant is an employee of the Department of Defense. He asks this Board to review a notice of debt arising from a permanent change of station (PCS) move in 2022. His travel orders authorized coverage of a shipment of household goods (HHG) and HHG storage in transit (SIT). According to the agency, the HHG weighed 14,120 pounds, were stored for sixty-three days, and were ultimately delivered on July 5, 2022. Based on the cost of the HHG shipment, the total tax amount for Federal Income Tax Withholding (FITW), Federal Insurance Contributions Act (FICA), and Medicare was calculated as \$1347.57.

Claimant received a debt letter for \$2142.39, which amounted to his share of the FITW, FICA, and Medicare taxes on the costs of the shipment of HHG and SIT. Claimant disputes the amount of the debt, as he believes that the tax calculation was based on erroneous and improper charges by the moving company. Claimant contests three charges of \$8.95 for unpacking, alleging that the moving company did not unpack the crates; \$2037.47 for storage after the requested delivery date because the movers improperly continued to store the HHG after the requested delivery date; \$3174.60 in erroneous rate/mileage charges; \$793.65 for an improper fuel surcharge; \$177.87 for a questionable miscellaneous charge; and \$250.25 for a questionable destination service charge.

The agency states:

To the extent that the Claimant is alleging that he believes the moving company falsified or fraudulently charged the government for certain actions, the proper process for addressing such a charge would be to contact the [Defense Finance and Accounting Service] Transportation Office with which he worked on his PCS move. They would be able to coordinate with the movers. The relief sought by Claimant is not relief that can be granted through the instant process, as there is no evidence (nor does Claimant allege) that the taxes were calculated improperly, and the Agency is not authorized to approve or disapprove the charges.

The agency is correct. The Board cannot address or resolve allegations about improper and unethical behavior by the transportation companies hired by the agency for relocation of federal employees. *John C.*, 6905- RELO, 21-1 BCA ¶ 37,753 (2020). As this Board stated in *Robert. P. Kropik*, CBCA 2435-RELO, 11-2 BCA ¶ 34,852, at 171,446:

[Claimant's] assertions raise questions about the business practices of the mover that shipped his goods. The Department of Defense may wish to investigate these assertions as it considers whether to continue to do business with the mover. The Board will not do so, however. We settle claims by federal civilian employees for relocation expenses incident to transfers of official duty station; we do not conduct management reviews of agencies' relocation activities and contracts.

Decision

The claim is denied.

Allan H. Goodman
ALLAN H. GOODMAN
Board Judge