



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

January 29, 2015

CBCA 4058-RELO

In the Matter of ROBIN A. WHITE

Robin A. White, Alexandria, VA, Claimant.

Cindy Osif, Section Chief – PCS, Interior Business Center, Department of the Interior, Denver, CO, appearing for Department of the Interior.

DANIELS, Board Judge (Chairman).

The Department of the Interior’s (Interior’s) Bureau of Indian Affairs transferred Robin A. White from Oregon to Washington, D.C. in January 2014. Ms. White claims that Interior has insufficiently reimbursed her for the expenses incurred for her husband’s trip across the country, including his carriage of some of the couple’s household goods.

Background

The travel orders issued by Interior authorized Ms. White and her husband to make the move in stages. First, Ms. White would drive her privately owned vehicle across the country, and she would be reimbursed for lodging costs, meals and incidental expenses, and vehicle costs (at a per-mile rate) she incurred in doing so. Her husband would drive his own vehicle later, and reimbursement would be made for his costs in like manner. Some of the couple’s household goods would be shipped by the agency under a government bill of lading (GBL). Other goods would be transported by Ms. White’s husband in a rented trailer being towed behind his vehicle. The orders cautioned, “Cost of self-move cannot exceed the cost to ship those [household goods] by GBL method.”

Ms. White’s trip and the move of the goods under a GBL occurred without issue. In May, Ms. White told Interior that her husband’s vehicle was “impaired and beyond repair.”

She asked the agency for authorization to use, for him, a means of transit called “U Pack We Drive.” The agency rejected this proposal. Instead, it authorized Ms. White to rent a car and trailer, or a truck, and transport her husband’s goods with him as he drove. The agency estimated that the costs of travel and transportation by this means would be about \$3735 to \$3875. The couple ultimately rented a sport utility vehicle, had their goods packed in it, and drove across the country to Ms. White’s new duty station. Ms. White seeks reimbursement for the costs of renting the car, the gas it consumed, packing and unpacking the goods, and lodging, meals, and incidental expenses incurred by her husband en route. The total amount she seeks is \$3681.40.

Interior reimbursed Ms. White only \$1359.66. It maintains that she is entitled only to the cost of airline travel for her husband (\$429) and the difference between what the agency paid for shipment of most of the couple’s goods under the GBL and what it would have paid if the goods moved in the rented vehicle had been included in the GBL shipment (\$930.66).

Discussion

Interior believes that the most economical way for Ms. White’s husband to have traveled from Oregon to the District of Columbia, and have had his goods shipped between the two locations, was for him to travel by air and have the goods transported with the goods that were shipped under a GBL. On the basis of the record presented, this conclusion appears to be correct. It does not dictate, however, that Ms. White’s claim should be denied.

The difficulty with Interior’s determination is not its validity, but rather, the time at which it was enunciated. When Ms. White reported that the planned means of moving her husband and his goods across the country – using a privately owned vehicle – was not possible, the agency had an opportunity to decide what alternative means was appropriate. It did not conduct a cost comparison at that time. It did not inform Ms. White that travel by air would be most advantageous to the Government. Instead, it expressly authorized the use of a rental car or truck. The employee acted in accordance with the authorization. We have established the equitable rule that once an agency has authorized travel or relocation allowances which it had the discretion to grant, and the employee incurs expenses in reliance on the authorization, the agency must reimburse the employee for those expenses. *Robert O. Jacob*, CBCA 471-TRAV, 07-1 BCA ¶ 33,530; *Thelma H. Harris*, GSBCA 16303-RELO, 04-1 BCA ¶ 32,540 (2003); *Linda M. Conaway*, GSBCA 15342-TRAV, 00-2 BCA ¶ 31,133. The costs Ms. White incurred were less than the agency had estimated, and the agency has not asserted that any of them were unreasonable or improper.

We recognize that Ms. White's travel orders cautioned, "Cost of self-move cannot exceed the cost to ship those [household goods] by GBL method." Reimbursing her for the total amount of the claim will not violate this restriction, however. The agency authorized the use of a rental car for the travel of Ms. White's husband. The incremental cost of transporting the goods in the car was simply payment for packing and unpacking the goods from the vehicle. This cost was \$439.20 – much less than the \$930.66 which would have been paid to transport these goods with the others which were shipped under a GBL.

Decision

The claim is granted. The Department of the Interior shall pay to Ms. White the difference between the amount of her claim and the amount it has already paid her for the movement of her husband and his goods from Oregon to the District of Columbia. That net amount is \$2321.74.

STEPHEN M. DANIELS
Board Judge