

Claims Act of 1964, as amended), employees who sustain a loss or damage to their household goods (transported incident to service) that exceeds the amount recovered from a carrier in settlement of a claim may file claim against the United States for the difference. Pursuant to Public Law 100-565, agencies may compensate employees up to \$40,000 on claims arising on or after October 31, 1988. When it is the policy of the agency not to compensate its employees under the Act, the agency should advise employees of the options available to them for insuring their household goods against greater monetary loss. (See §101-40.206(b) of this subpart.)

(c) When settling a claim for loss or damage to a shipment of household goods, carriers may settle either for the full value declared by the shipper or arrive at the current actual value of the lost or damaged item by using the criterion of replacement cost of the lost or damaged item, less depreciation. The basis upon which carriers will settle a claim is contained in carriers' tariffs or is referenced in section 10721 (49 U.S.C. 10721) quotations on file with GSA and the Interstate Commerce Commission.

(d) Regulations governing household goods carriers subject to the Revised Interstate Commerce Act are contained in 49 CFR part 1056.

(e) Additional information concerning processing loss and damage claims may be obtained from the appropriate GSA regional office.

[51 FR 24335, July 3, 1986, as amended at 54 FR 46245, Nov. 2, 1989]

§ 101-40.208 Temporary nonuse, debarment, or suspension of household goods carriers.

Based on information obtained from the completed GSA Form 3080 or documented instances of other service complaints or deficiencies, agencies may place household goods carriers in temporary nonuse, debarred, or suspended status in accordance with the procedures specified in subpart 101-40.4.

[51 FR 24335, July 3, 1986]

Subpart 101-40.3—Rates, Routes, and Services

SOURCE: 45 FR 85756, Dec. 30, 1980, unless otherwise noted.

§ 101-40.300 Scope of subpart.

This subpart prescribes regulations governing the determination and use of rates and related data in the transportation of property for the Government; selection of the mode of transportation and the carriers within the mode; and negotiations of classification ratings, rates, and services.

[51 FR 24335, July 3, 1986]

§ 101-40.301 GSA rate and routing services.

(a) Except as otherwise provided in this subpart, executive agencies shall obtain rate and/or routing information from the appropriate GSA regional office when they have general freight or household goods shipments categorized as follows:

Shipment category	Shipment weight
Surface shipments other than household goods. (See § 101-40.305-3 for exemption.)	10,000 pounds and over, or shipments (regardless of weight) that occupy the full visible capacity (see note) of a railcar or a tractor-trailer combination(s)
Air shipments	1,000 pounds and over
Household goods shipments.	All shipments, regardless of weight (except will not apply on shipments moving in foreign commerce; see 101-40.101-1(b)). (See subpart 101-40.2 for shipments moving within the conterminous U.S.)

NOTE: Full visible capacity generally means that quantity of freight which in the manner loaded so fills a vehicle that no additional article in the shipping form tendered identical in size to the largest article in the shipment can be loaded in or on the vehicle. Consult governing tariffs for precise definition and application.

(1) Unless otherwise revoked by the GSA Central Office, permanent exemption from the rate and routing requirements of this section is granted to the Federal Emergency Management Agency (FEMA), Department of Energy (DOE), National Aeronautics and Space Administration (NASA), and the United States Department of Agriculture (USDA) to the following extent:

(i) FEMA: Initial positioning of mobile homes shipped in response to disasters;

(ii) DOE: Priority energy and classified defense and nuclear waste management shipments;

(iii) NASA: Shipments of key, critical items necessary to the success of space and aerospace research, development, acquisition, flight or launch activities; and

(iv) USDA: Emergency shipments of forest firefighting materials and equipment; household goods shipments to and from isolated areas.

(2) To meet other transportation exigencies of a critical and recurring nature, executive agencies, other than those exempted to the extent noted in paragraph (a)(1) of this section, may request the appropriate GSA regional office to grant a temporary exemption from the routing requirements of this section. In a local emergency, which precludes the requesting of routing instructions in accordance with the requirements of this section, routing by any transportation mode may be made without prior approval. Requests for temporary exemption shall be in writing, and the appropriate GSA regional office will accept or deny the request by written instructions to the requesting agency. Exemptions will be granted for a duration of time not to exceed 1 year; however, on written request, an exemption may be renewed or extended.

(b) Agencies shall submit requests for rate and routing information to the appropriate GSA regional office. Agencies may telephone urgent requests, and replies will be made by telephone and confirmed upon request by the use of GSA Form 420, Freight Rate and Route Request/Response, or GSA Form 2485, as appropriate. (See §101-40.4902.)

(1) To obtain rate and routing information, agencies will furnish the necessary details concerning the shipment as far in advance of the proposed shipping date as possible. For freight shipments, GSA Form 420 may be used. The procedures in subpart 101-40.2 shall be followed when requesting household goods rate and route information on shipments moving within the conterminous United States.

(2) To eliminate the need for repetitive routing instructions, GSA regional offices may issue standing route orders to cover normal repetitive movements (two or more shipments per month) of specific items between specified points by any mode of transportation. Ordinarily, a standing route order will be issued when the origin, destination, commodity(ies), and frequency of shipment constitute a repetitive traffic pattern. GSA regional offices will maintain a standing route order file and review routings at 60-day intervals from the date of their issuance to assure current application of rates, ratings, routes, and classification. When required by changed conditions, GSA regional offices shall provide the requesting agency with revised routing instructions.

(c) Agencies are encouraged, but not required, to request GSA-furnished rate or routing information for their freight shipments that are less than the shipment weights specified in paragraph (a) of this section.

(d) Executive agency shippers will comply with all Federal, State, and local laws and regulations relating to vehicular size and weight limitations.

[45 FR 85756, Dec. 30, 1980, as amended at 51 FR 24335, July 3, 1986; 51 FR 27539, Aug. 2, 1986; 52 FR 21033, June 4, 1987]

§101-40.302 Standard routing principle.

Shipments shall be routed using the mode of transportation, or individual carrier or carriers within the mode, that can provide the required service at the lowest overall delivered cost to the Government.

§101-40.303 Application of the standard routing principle.

In the application of the standard routing principle, the principal factors for consideration, in their relative order of importance, are: Satisfactory service, aggregate delivered cost, least fuel-consumptive carrier/mode, and equitable distribution of traffic.

[51 FR 24336, July 3, 1986]

§101-40.303-1 Service requirements.

The following factors shall be considered in determining whether a carrier