

Board of Contract Appeals

General Services Administration
Washington, D.C. 20405

December 16, 2005

GSBCA 16741-RELO

In the Matter of ROXANNA E. ZAMORA

Roxanna E. Zamora, Bonaire, GA, Claimant.

Lt. Col. Nathan M. Berman, Office of the Staff Judge Advocate, 78th Air Base Wing, Department of the Air Force, Robins Air Force Base, GA, appearing for Department of the Air Force.

NEILL, Board Judge.

Claimant, Ms. Roxanna E. Zamora, a civilian employee of the Air Force, underwent a permanent change of station (PCS) move from Springfield, Virginia, to Robins Air Force Base, Georgia, in September 2004. During the course of that move, some of her household goods were damaged. Ms. Zamora subsequently filed a claim for these damages with her agency. She is dissatisfied with the processing and adjudication of her claim and now asks this Board to review the agency's determination.

The agency argues that Ms. Zamora's claim was adjudicated in accordance with the Military Personnel and Civilian Employees' Claims Act, 31 U.S.C. § 3721 (2000), and that this Board does not have settlement authority for a claim of this type. Claimant has been given an opportunity to examine the agency's objection to our settling this dispute and has filed comments on the agency's submission. Nothing in the claimant's comments, however, persuades us that the agency is incorrect in contending that we lack the authority to resolve this dispute.

We have stated repeatedly that claims, such as this one, for loss or damage to one's property incident to a PCS move are covered by the Military Personnel and Civilian Employees' Claims Act. That law vests claims settlement authority for such claims in

agency heads, not this Board. Thus we have no authority to review Ms. Zamora's claim or the agency's processing of it. *Victor G. Herington*, GSBCA 15914-RELO, 03-1 BCA ¶ 32,187; *Dale G. Luckman, Jr.*, GSBCA 14874-RELO, 99-2 BCA ¶ 30,431; *Paul W. Johnson*, GSBCA 13815-RELO, 98-1 BCA ¶ 29,407 (1997); *Gretchen F. Ridgeway*, 14074-RELO, 97-1 BCA ¶ 28,942; *Charles A. Miller*, GSBCA 13679-RELO, et al., 97-1 BCA ¶ 28,865.

We, therefore, dismiss this claim.

EDWIN B. NEILL
Board Judge