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ADS Chapter 521

Claims for Loss of Private Personal Property

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 ADS Chapter 521 - Claims for Loss of Private Personal Property
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ADS 521 - Claims for Loss of Private Personal Property

521.1 OVERVIEW

Effective Date: 11/08/2021

This chapter contains the policies and procedures for submitting and processing all claims for loss of, or damage to, personal property while on official duty with the U.S. Government (USG). USAID employees and their authorized dependents, individuals with personal service contracts (PSCs), and personnel from other government agencies may submit these claims.

The Military Personnel and Civilian Employees' Claims Act of 1964 ([31 U.S.C. 3721](#)), as amended by Public Law 91-311, authorizes payment for personal property only. It does not provide a remedy for consequential damages or other types of loss or incidental expenses.

521.2 PRIMARY RESPONSIBILITIES

Effective Date: 11/08/2021

- a. The **Chief, Bureau for Management, Office of Management Services, Travel and Transportation Division (M/MS/TTD)** has the authority to settle and approve payment of claims at a minimum amount of \$100 and a maximum amount of \$40,000, unless the claim arises from extraordinary circumstances in which the maximum amount is not to exceed \$100,000.
- b. The **Bureau for Management, Chief Financial Officer, Office of Cash Management and Payment Division (M/CFO/CMP)** processes all approved payments of claims. All settlements will be made by electronic funds transfer (EFT).
- c. The **Executive Officer (EXO)**, at the Mission, assists individuals in preparing the claim and completing the [DS-1620A, "Claims Investigating Officer's Report"](#).
- d. The **Claims Assistance Officer (CAO)**, at the Mission, assists employees in the preparation of claims. The CAO is appointed in writing by the Mission Director.
- e. **Individuals filing a claim** must ensure their claim is properly documented and substantiated prior to submitting the claims package to the M/MS/TTD Claims Office at travelandtransportation-helpdesk@usaid.gov.

521.3 POLICY DIRECTIVES AND REQUIRED PROCEDURES

Effective Date: 11/08/2021

When an applicable individual experience a loss of, or damage to, personal property while on official duty with the U.S. Government, they may file a claim under the Military Personnel and Civilian Employees' Claims Act of 1964, as amended by [31 U.S.C. Section 3721](#) (also referred to as the Claims Act). The Agency settles claims based on the depreciated value of an item and not the replacement or repair cost of that item.

The Agency strongly recommends that individuals purchase private insurance for both loss and damage of household goods and privately-owned vehicles (POV) that are shipped and/or stored. Since many private insurance companies limit reimbursement for household goods or privately owned vehicles, individuals should confirm what the policy will cover.

The Agency must adhere to the policies and procedures governing Personal Property Claims outlined in [14 FAM 640](#), and the Military Personnel and Civilian Employees' Claims Act of 1964, as amended by [31 U.S.C Section 3721](#) (also referred to as the Claims Act).

521.3.1 Claims Procedures

521.3.1.1 Who May File

Effective Date: 11/08/2021

a. A claim may be presented by an individual; in the claimant's name, by their spouse or domestic partner as defined in [3 FAM 1610](#), as an authorized agent, or in the claimant's name, by their authorized legal representative. Claims filed by an authorized agent or legal representative must be accompanied by appropriate documentation of a power of attorney.

If the individual is deceased, a survivor or legal representative of the deceased may present the claim. Claims presented by survivors will be settled in the following order regardless of whether the claim arose before, concurrently with, or after the claimant's death:

1. Spouse or domestic partner as defined in [3 FAM 1610](#) (if separated or legally separated at the time of the individual's death, the individual's legal representative should present the claim);
2. Child or children;
3. Parents;
4. Siblings; and
5. In-laws can file only if the claimant is deceased, and the in-law has legal representation authorities related to the claimant's estate.

b. Tandem couples are required to ship their personal property separately against their respective authorized travel authorizations. The maximum amount payable by law and the Table of Maximum Amounts Allowed in [14 FAM Exhibit 644.2](#) applies to each individual and the personal property shipped in accordance with their individual travel authorization.

521.3.2 Time Prescribed for Filing

Effective Date: 11/08/2021

- a. Within 75 calendar days of incurring the loss, the claimant must either submit an [AID Form 521-1](#) or the completed claim (see [14 FAM 646.3](#)).
- b. The statutory limitation in which a completed claim must be presented to the Claims Officer is two calendar years. The time begins at the time of the incident causing the loss or damage or when the loss or damage was or should have been discovered by the claimant. The traveler has six months from the date of settlement or denial of a claim to file a request for reconsideration.
- c. Delay in filing: If a claim occurs in time of war or armed conflict, the claim may be presented no later than two calendar years after the war or armed conflict is terminated.

521.3.3 What to File

521.3.3.1 Claims for Loss or Damage to Personal Property

Effective Date: 11/08/2021

The claimant must submit the documents below, as appropriate, for processing claims for loss or damage to personal property during transit or storage. Documents must be legible. M/MS/TTD will return illegible documents or incomplete packages to the sender.

- a. [AID Form 521-1](#): Submit within 75 calendar days from the date the shipment was delivered to the employee, or employee was notified of damage/loss.
- b. [Form DS-1620](#): Within two years of submitting AID Form 521-1, submit to provide information about the circumstances surrounding the loss of, or damage to, personal property. The claimant must sign and date this form.
- c. [Form DS-1620-A](#): Within two years of submitting AID Form 521-1, complete for all claims occurring at post. The EXO, or their designee, must sign and date this form.
- d. [Form DS-1620-B](#): Complete when loss or damages are caused by the carrier during shipment. The claimant must sign, date, and complete this form in its entirety.
- e. [Form DS-1620-C](#): Complete this form for all claims that require a description of the property.
- f. A Travel Authorization (TA), which includes the shipment of goods and private property, as appropriate.

- g. Signed delivery receipt(s) provided by the movers at time of delivery, as appropriate.
- h. Government Bill of Lading (as appropriate), which is provided by the common carrier.
- i. Written estimates for repairs and/or paid invoices for repairs, if applicable. Such documentation must be on company letterhead or electronic communication sent from the company's email address.
- j. A statement from the private insurance company documenting monies paid to the claimant as a result of loss and/or damages claimed, including the claimant's deductible, as appropriate. The documentation must be on the insurance company's letterhead or electronic communication sent from the company's email address.
- k. Photographs (digital photographs are preferred or videotape), if available, as a part of the claim materials.

521.3.4 Claims for Loss or Damage to Privately Owned Vehicle

Effective Date: 11/08/2021

Claimants are required to submit the following documents and any additional documentation listed for a specific type of claim incident in [14 FAM 644.4](#) to process claims for loss or damage to, a POV, shipped at USG expense and damaged while in transit or storage.

- a. [Form DS-1620](#): Submit to provide information about the circumstances surrounding the loss of, or damage to, personal property. The claimant must sign and date this form.
- b. [Form DS-1620-B](#): Completed when loss or damages are caused by the carrier during shipment. The claimant must sign, date, and complete this form in its entirety.
- c. TA, authorizing shipment of POV.
- d. A copy of the pre-conditioning report (MANDATORY) (completed by the vendor), prior to shipment of the POV. The vendor and the claimant should sign this document.
- e. Delivery receipt noting condition of POV upon delivery. The recipient must document any damage to a POV on the delivery receipt immediately upon delivery. Internal damages are an exception to this requirement. Barring extenuating circumstances, concealed damages to a POV (*i.e.*, frame damage, suspension damage, and engine damage) as a result of transportation will only be allowed when

written notification is given to the Claims Office or to the Post Claims Officer within 72 hours after the POV has been delivered to claimant.

- f. Government Bill of Lading (as appropriate), which is provided by the common carrier.
- g. Written repair estimates and/or repair bills from a certified automotive mechanic and/or body damage vendor. The claimant must provide two written estimates for the stated repairs. Estimates must be from two unrelated vendors and sent from the company's email address.

521.3.5 Where to File

Effective Date: 11/08/2021

All claims must be submitted to: travelandtransportation-helpdesk@usaid.gov.

521.3.6 Types of Claims Payable

Effective Date: 11/08/2021

The types of claims payable because of damage to, or loss of, personal property is outlined in [14 FAM 644](#).

521.3.7 Types of Claims Not Payable

Effective Date: 11/08/2021

Items with pre-existing damage (PED) are not payable. Additional claims that are not allowed under the Claims Act are identified in [14 FAM 645](#). Individuals may be able to file claims through their private insurance company; however, the claims office does not assist employees in filing personal claims.

521.3.8 Claims Investigation

Effective Date: 11/08/2021

- a. A Claim Investigating Officer at the Mission must investigate claims occurring overseas. If the Claim Investigating Officer is the claimant, the Mission must designate an alternate Claim Investigating Officer.
- b. The Claim Investigating Officer investigates, signs, dates, and completes the [Form DS-1620-A](#). The claimant must submit this form to M/MS/TTD as a part of their claims package.
- c. Once the claimant submits the completed claims package, including all reports, forms, photos, and documentation to M/MS/TTD, the package will be processed for adjudication. Claims will not be processed until all required documentation has been received. M/MS/TTD will return incomplete packages to the sender.

521.3.9 High-Value Items

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High-value items are items of extraordinary or substantial value. Examples of high value items include, but not are limited to cameras, cell phones, watches, jewelry, electronics, collectibles, antiques, etc. An item that is valued at less than \$1,000 is not considered a high-value item. Items of extraordinary or substantial value must be appraised to have their value considered as a part of a claim. Appraisals must be submitted to M/MS/TTD, in writing, by a certified appraiser, on company letterhead.

Small high-value items (*i.e.*, jewelry, cell phones, cameras, etc.) should be kept in the traveler's custody (checked baggage or carry-on bag) when traveling, as they are easily lost or stolen when shipped with household goods, in unaccompanied baggage, or placed in storage. Small high-value items that are lost or stolen are not payable when such items are out of the traveler's custody. Items in storage or shipped with household effects (HHE) or unaccompanied air baggage (UAB) are out of the traveler's custody and are not payable in any amount in the settlement of a claim. High-value items that are not easily lost and/or stolen may be shipped with your household goods (again, they must be appraised prior to shipping).

A high-value item of quality workmanship or design, quality materials, or associated with a past event or historical figure, may possess a value far beyond what is usual and customary of a similar item. These items normally serve an artistic or decorative purpose or are a collector's item. Even where loss of an item of extraordinary value is payable, if there is no certified appraisal to substantiate the value prior to the shipment of household goods, the allowable compensation may be adjusted to the price of a reasonable substitute of an article of a similar type.

Individuals must declare all high-value items, including antiques, in writing when arranging for the shipment of household goods by submitting a detailed list of such items to **travelandtransportation-helpdesk@usaid.gov**. Claims involving antiques require a certified appraisal. If a claim is submitted without this declaration/appraisal, high-value items will not be considered for payment in any amount other than what is usual and customary for an item of a similar nature.

For antiques, the date of inheritance is considered the "date of acquisition."

The declaration and/or appraisal must be submitted to:

Email: **travelandtransportation-helpdesk@usaid.gov**
 USAID Travel and Transportation Division /MS/TTD
 ATTN: Claims Officer

Unless the individual furnishes this declaration, high-value items may not be considered for payment in any amount in the settlement of a claim for loss or damage.

If an individual intends to ship or store articles, with a value of which will exceed both the Agency's and the potential carrier's liability, the individual should consider procuring sufficient insurance to cover the market value of the articles being shipped or stored (see [14 FAM 641](#)).

521.4 MANDATORY REFERENCES

521.4.1 External Mandatory References

Effective Date: 11/08/2021

- a. [14 FAM 640](#)
- b. [31 U.S.C. 3721, the Military Personnel and Civilian Employees' Claims Act of 1964, as amended](#)

521.4.2 Internal Mandatory References

Effective Date: 11/08/2021

There are no internal mandatory references for this chapter.

521.4.3 Mandatory Forms

Effective Date: 11/08/2021

- a. [AID Form 521-1, Notice of Loss or Damage](#)
- b. [DS-1620, Claims for Private Personal Property Against the United States](#)
- c. [DS-1620-A, Claims Investigating Officer's Report](#)
- d. [DS-1620-B, Demand on Carrier/Contractor \(filed by claimant\)](#)
- e. [DS-1620-C, Schedule of Property, for all claims, except ITGBL Claims](#)

521.5 ADDITIONAL HELP

Effective Date: 11/08/2021

There are no additional help documents for this chapter.

521.6 DEFINITIONS

Effective Date: 11/08/2021

See the [ADS Glossary](#) for all ADS terms and definitions.

Accrual Date

The date of the incident causing the loss or damage or when the loss or damage is or should have been discovered by the claimant through exercise of due diligence.

(Chapter 521)

Bill of Lading

A document issued by a carrier to acknowledge receipt of cargo for shipment. (**Chapter 521**)

Claim

A claim filed by an employee of USAID for damage to, loss, destruction, capture, or abandonment of employee's personal property incident to service. (**Chapter 521**)

Claimant

The employee (or their dependent or legal representative) who requests reimbursement for the loss, damage, and/or theft of a personal possession. (**Chapter 521**)

Claims Investigating Officer

At Mission, this officer is an executive, administrative, or EXO of the agency involved. Such officers prepare reports that are included with other supporting documents when the claims are forwarded for adjudication to the appropriate agency. The Claims Investigating Officer will not be the same individual functioning as the claims assistance officer unless special circumstances at the Mission, such as limited staff, make it necessary. (**Chapter 521**)

Consultants

Individuals not employed by the Federal Government. (**Chapter 521**)

Depreciated Value

The decreased value of an item or article due to age or usage. (**Chapter 521**)

High-value Item

Must be worth at least \$1,000 and be declared to the claims office before shipping or storage takes place. The item must be unusually valuable for its category. For example, a \$1,000 sofa does not qualify. A rare porcelain plate would qualify. (**Chapter 521**)

Letter of Intent (LOI)

An indication that the claimant intends to file a claim for the loss, damage, and/or theft of a personal possession or possessions. The LOI must include an itemized list of the items lost, damaged, or stolen, be received by the claims office, and bear a postmark which is within 75 days of the accrual date. (**Chapter 521**)

Pre-existing Damage (PED)

Damage that existed prior to being under U.S. Government control. Reimbursement for PED is not allowed. (**Chapter 521**)

Privately Owned Motor Vehicle (POV)

A motor vehicle owned by the employee or a member of the employee's family who is authorized to travel and used by the employee and/or employee's immediate family for the primary purpose of providing personal transportation. (**Chapter 521**)

Replacement Value

The acquisition cost of the item plus a factor that reflects changes in the purchase power of the U.S. dollar (as set forth in the consumer price data prepared by the Bureau of Labor Statistics). (**Chapter 521**)

Settle

To consider, ascertain, adjust, determine, and dispose of any claim whether by full or partial allowance or disallowance. (**Chapter 521**)

USAID Travel and Transportation Division, M/MS/TTD

The USAID office that adjudicates claims made under the Claims Act. (**Chapter 521**)

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