

DECISION


 THE COMPTROLLER GENERAL
 OF THE UNITED STATES
 WASHINGTON, D. C. 20548

FILE:

DATE: SEP 20 1974

MATTER OF:

B-181260

DIGEST:

Blaine B. Buntrock - travel expense incident to
house-hunting trip

Civilian employe of Bureau of Indian Affairs who conducted a house-hunting trip incident to an official transfer of duty station without following the procedures set forth in section 7.3c of OMB Circular No. A-56, which required that an employment agreement must be signed before travel is commenced and permanent change of travel order has been issued which includes authorization for the round trip may not be reimbursed travel expenses for such trip.

This is in response to a request by a Certifying Officer of the United States Department of the Interior, Bureau of Indian Affairs, for an advance decision as to the propriety of certifying for payment the travel voucher in the amount of \$152.02 in favor of Mr. Blaine B. Buntrock representing expenses of a house-hunting trip prior to his permanent change of station from Eagle Butte, South Dakota, to Wahpeton, North Dakota.

During the period from August 21-23, 1972, Mr. Buntrock conducted a house-hunting trip under a travel authorization issued by the (acting) Superintendent of the Cheyenne River Agency, for travel from his official station, Eagle Butte to Wahpeton and return. According to the Aberdeen Area Finance officer's form memorandum dated September 18, 1972, the Agency Superintendent did not have the authority to issue the authorization, as this authority rests with the Aberdeen Area Office Branch of Personnel. The travel order issued August 31, 1972, authorizing the permanent change of station signed by the Aberdeen Area Personnel officer contained the following statement:

"Househunting trip made 08/21-24/72, not authorized as transfer date not established and Employment Agreement not signed until 08/25/72."

The record further indicates that the house-hunting trip, for which reimbursement is requested, was performed prior to the employee's signing the required employment agreement, thereby violating the prescribed

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procedure required by the Office of Management and Budget Circular (OMB) No. A-56, Section 7.3c, Revised.

In the present case Mr. Buntrock was advised by his supervisor that his house-hunting trip was authorized. His supervisor, however, did not have the authority to grant such approval. We have held that in the absence of authorization prior to performance of the trip by an official vested with authority to grant such authorization, house-hunting trip expenses may not be reimbursed. See B-168614, January 14, 1970; B-168797, March 6, 1970; B-175802, July 24, 1972; B-179449, November 26, 1973.

Under 5 U.S.C. 5724(a)(2), which is implemented by OMB Circular No. A-56, section 7, Revised August 17, 1971, in force at the time in question, an employee and his spouse may, under appropriate circumstances, incident to a permanent change of station, be authorized one round trip to seek permanent residence quarters at his new duty station. Section 7.3c of OMB Circular No. A-56 provides as follows:

"(c) Authorization prior to trip. The trip for finding residence quarters shall not be made at Government expense unless a permanent change of station travel order has been issued which includes authorization for the round trip, mode of transportation and period of time allowed for the trip, specifies the date for reporting at the new official station, and indicates that the employee has signed the required agreement. An employee shall be in a duty status during the authorized round trip period of absence."
(Emphasis added.)

Decisions of this Office have interpreted these provisions of OMB Circular No. A-56 as requiring, with respect to advance house-hunting trips, that an employment agreement must be signed and the travel in question must be officially authorized before the house-hunting trip is taken if the employee is to receive reimbursement for expenses incurred. See B-167918, November 5, 1969.

There are some circumstances in which postapproval may be granted on the basis that certain administrative errors have occurred. However, administrative errors which may be retroactively corrected to increase or decrease benefits allowable to employees are those which relate to a failure to follow the specific intent of the authorizing official. However, in this case the Aberdeen Area Office Branch of Personnel was not

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consulted or requested to authorize Mr. Buntrock's house-hunting trip in
advance, nor was the requisite advance employment agreement secured.
Thus no administrative error under which an exception to the regulatory
requirement of advance authorization occurred. See B-168797, March 6,
1970.

In view of the foregoing, the voucher may not be certified for
payment.

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Deputy Comptroller General
of the United States