

DECISION

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

FILE:

B-183597

DATE: SEP 3 1975 50909 97557

MATTER OF:

Phillip G. Whisnant--Real Estate Expenses--Sale
of residence at time of transfer

DIGEST:

Selection to participate in Corps of Engineers' Program of Advanced Studies for Professional Employees constitutes notice of transfer within meaning of regulations (section 4.1(d) of OMB Circular A-56). Employee who sold his residence after being selected for the program may be reimbursed upon completion of training and actual transfer. See B-161795, June 29, 1967; B-168224, November 19, 1969.

Mr. J.W. Koch, a disbursing officer at the Little Rock District, Corps of Engineers, Department of the Army, requests an advance decision on the propriety of paying real estate expenses claimed by Mr. Phillip G. Whisnant since the sale of his residence was settled before Mr. Whisnant was officially notified of his change in duty station.

The record shows that Mr. Whisnant, a reservoir ranger stationed in Mountain Home, Arkansas, was selected in February 1972 to participate in the Corps of Engineers' Program of Advanced Studies for Professional Employees. He sold his residence in Mountain Home in June 1972 and thereafter moved to College Station, Texas, for advanced schooling at Texas A & M University in August 1972. On January 12, 1973, Mr. Whisnant was officially notified of his transfer to the Corps of Engineers' district office in Little Rock. He was authorized reimbursement of real estate expenses for the sale of his residence at his old duty station in PCS Order 30319, dated August 9, 1973. Mr. Whisnant claims reimbursement for the expenses he incurred incident to the sale of his house in Mountain Home, Arkansas, in June 1972.

The question presented is whether Mr. Whisnant's selection to participate in the Program of Advanced Studies for Professional Employees constituted notice that his official duty station would be changed, as was required for reimbursement under section 4.1(d) of Office of Management and Budget (OMB) Circular A-56, revised August 17, 1971.

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In B-161795, June 29, 1967, we held that an employee's selection as a trainee in the Internal Revenue Service's (IRS) Executive Selection and Development Program met the requirements of OMB Circular A-56. See also B-168224, November 19, 1969. In B-161795, IRS stated that selection in the program was tantamount to a notification that one's official station would be changed, although a participant was not definitely informed of the transfer to a specific official station until training was completed and a vacancy became available.

The District Engineer, Little Rock District, in forwarding the request for an advance decision, stated that the Corps of Engineers' Program of Advanced Study for Professional Employees is analogous to the IRS program considered in B-161795 and, under that criteria, Mr. Whisnant's selection to participate constituted notice of an impending transfer.

In light of the substantial similarity of the two programs and the improbability of a participant in the Corps' program being reassigned to his former place of duty, we believe that reimbursement of real estate expenses incurred in connection with the sale of a residence after the time of notification of selection for participation in the program, but prior to the employee's completion thereof and transfer to a new station, is authorized. Here, as in B-168224, supra, and B-161795, supra, reimbursement is not being made until after the program has been completed and the transfer to a new station effected.

Accordingly, the voucher may be certified for payment if otherwise correct.

R. F. WILDER

Deputy

Comptroller General
of the United States