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DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20541

FILE: B-183283

DATE: October 15, 1976

MATTER OF: William S. Harris--relocation benefits--Federal employee assigned under Intergovernmental Personnel Act--request for reconsideration

DIGEST: Employee who was stationed at Kansas City, Missouri, was given Intergovernmental Personnel Act (IPA) assignment to Jefferson City, Missouri, and at termination of such assignment was transferred to Dallas, Texas, requests reconsideration of decision denying his claim for relocation expenses incurred upon sale of home in Jefferson City. Since no such reimbursement is provided under IPA and IPA station at Jefferson City never met "official station" requirement of Federal Travel Regulations and 5 U.S.C. § 5724a (1970), no authority exists for allowing such relocation expenses.

This action is in response to a letter dated September 18, 1975, from H. B. Patrick, Director, Office of Accounting of the Department of Labor, requesting reconsideration of our decision B-183283 dated August 5, 1975, in which we disallowed a portion of the claim of William S. Harris, an employee of the Department's Manpower Administration, for relocation expenses incurred in connection with the termination of an assignment under the Intergovernmental Personnel Act of 1970 (IPA), Pub. L. 91-648, approved January 5, 1971, 5 U.S.C. §§ 3371-76, and the permanent change of his official station from Kansas City, Missouri, to Dallas, Texas.

Although Mr. Harris' claim for miscellaneous expenses of \$200 incurred in connection with his transfer was allowed, his claim for \$3,225 representing the expenses for the sale of his residence at his IPA station in Jefferson City, Missouri, was disallowed. The record indicates that Mr. Harris, whose permanent duty station was in Kansas City, Missouri, was sent to Jefferson City on an IPA assignment as the Director of the Division of Employment Security for the State of Missouri, where he reported for duty on April 30, 1973. The assignment was scheduled to terminate on April 29, 1975, but the Department of Labor terminated it after 13 months, appointing Mr. Harris to a new permanent duty station at Dallas, Texas, effective May 22, 1974.

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In a letter to the Department of Labor requesting our reconsideration of his case, Mr. Harris states:

"In reviewing the decision, I am left with the impression that the circumstances in my particular situation were not accurately and fairly presented. * * *"

Arguing that our decision of August 5, 1975, dealt exclusively with the issue of what real estate expenses could be allowed to an employee on an IPA assignment, Mr. Harris asserts:

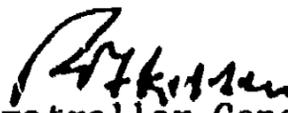
"The question at issue is not whether a person on IPA assignment is entitled to real estate expenses, but rather, whether the Department can remove a person from an IPA assignment, and give him a new assignment involving a Permanent Change of Station and paying all allowable expenses. I contend that they can, as this appears to be a logical agency prerogative."

It would appear that Mr. Harris concedes that the relocation expenses he claims are not reimbursable under the provisions of the IPA. See B-183042, April 24, 1975. Notwithstanding the fact that the transfer to Dallas (the move that necessitated the sale of his residence in Jefferson City for which he is claiming relocation expenses) involved a permanent change of station, the fact remains that Mr. Harris' claim is for costs incident to the sale of a house at his IPA station. As we stated in our prior decision, an employee is allowed reimbursement for relocation expenses incident to the "sale of one residence at his old official station." Federal Travel Regulations (FPMR 101-7), para. 2-6.1 (May 1973), emphasis added; 5 U.S.C. § 5724a (1970). Because an assignment under the Intergovernmental Personnel Act is not a transfer of official station, Mr. Harris' official station remained at Kansas City when he was assigned to Jefferson City under the Act. B-170589, September 18, 1974. Therefore, there is no authority for reimbursement of his relocation expenses incurred upon the sale of the Jefferson City residence.

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It is true, as Mr. Harris argues, that the department can remove a person from an IPA assignment and make a permanent change of station assignment, paying all allowable expenses. However, as indicated above, "allowable expenses" under the FTR pertain only to the sale of a house at the old official station. Thus, an employee may not be reimbursed for selling a house at the IPA station. In terms of Mr. Harris' case, he clearly would not be entitled to reimbursement for selling his Jefferson City home if he went back to Kansas City as originally contemplated, and it does not make any difference for this purpose that he went to Dallas instead.

Accordingly, our prior decision is affirmed.

Acting 
Comptroller General
of the United States