

18383 mr. Pool



DECISION

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

FILE: B-201812

DATE: June 9, 1981
[Claim for

MATTER OF: Robert L. Bidus - Temporary Quarters]-
Authorization or Approval

DIGEST: In the absence of administrative authorization or approval of the use of temporary quarters an employee may not be reimbursed temporary quarters subsistence expenses.

An advance decision has been requested by Isaac J. Duran, an authorized certifying officer of the Water and Power Resources Service, Department of the Interior, concerning the reclaim voucher in the amount of \$423.14 of Mr. Robert L. Bidus for subsistence expenses his spouse incurred while occupying temporary quarters incident to his transfer from Boulder, Colorado, to Mills, Wyoming, in January, 1980.

The administrative report clearly shows that temporary quarters were not authorized in connection with Mr. Bidus' transfer in January, 1980, nor have such expenses been "approved" by agency administrative action after the fact.

Under the provisions of section 5724a(a)(3), and 5724(a) of title 5, United States Code, and implementing regulations in Paragraph 2-5.1, et seq., of the Federal Travel Regulations (FTR) (FPMR 101-7, May 1973), an employee and his immediate family may be reimbursed for the expenses of occupying temporary quarters in connection with an official transfer to a new duty station. In accordance with this authority, authorization for temporary quarters subsistence expenses is discretionary with the agency.

Accordingly, Mr. Bidus' claim is denied under the long-standing principle of law applied in numerous decisions of this Office that in the absence of administrative authorization or approval of the use of temporary quarters an employee may not be reimbursed temporary quarters subsistence expenses. B-167930, November 19, 1969; B-162741, March 21, 1968; and B-161860, September 5, 1967.

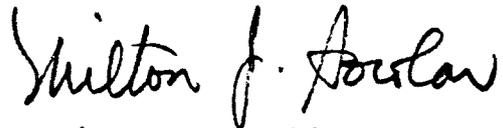
We also note on the attached reclaim voucher that Mr. Bidus has claimed reimbursement for the movement of household goods to his new duty station based upon the constructive weight of the goods. See FTR para. 2-8.2b(4) (May 1973).

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That paragraph authorizes reimbursement under the commuted rate method only if the employee is able to show the amount of space occupied by the household goods and that the goods were properly loaded in the space available. In establishing the amount of space which would have been occupied by his household effects if properly loaded, Mr. Bidus may submit a list of items transported together with the volume occupied by each based on actual measurement or a uniform table, preferably prepared by a commercial carrier. See 48 Comp. Gen. 115 (1968).

Where evidence to support a claim for shipping household effects does not establish the cubic feet of properly loaded van space, the employee is not entitled to reimbursement at the commuted rate but may be reimbursed actual expenses incurred if evidence submitted reasonably supports the shipment of the claimed weight of household goods.
Patsy R. Newton, B-198398, October 17, 1980.



Acting Comptroller General
of the United States