



The Comptroller General
of the United States

Washington, D.C. 20548

Reidinger

Decision

Matter of: George H. Wolfe - Relocation Travel - Temporary
Quarters Inception - Spouse's Househunting Trip
File: B-232317
Date: June 2, 1989

DIGEST

1. A transferred employee, who performed en route travel for more than 24 hours, and arrived at 9 p.m., claims lodging costs for the evening of arrival. The claim is denied. Under paragraph 1-7.5b(2)(c) of the Federal Travel Regulations (FTR), his allowable en route per diem for the last day is limited to the meals and incidental expense (M&IE) rate for the previous day. Since he arrived during the last quarter of the day, the full daily M&IE rate is payable. Under FTR, para. 2-5.2g(1)(a), his temporary quarters eligibility begins with the next calendar day quarter. Since that was the first quarter of the following day, that full day is the first day of temporary quarters eligibility for which 60 days temporary quarters subsistence expenses were reimbursable thereafter.

2. A transferred employee, who occupied temporary quarters, was joined by his wife for 8 days of househunting during the temporary quarters occupancy period. The employee is entitled to continue receiving temporary quarters subsistence expense for himself during that period, and, under FTR, para. 2-4.1a, to receive reimbursement for his wife's travel expenses and per diem, limited to the meals and incidental expense rate, during the 8 days of househunting. George L. Daves, 65 Comp. Gen. 342 (1986).

DECISION

This decision is in response to a request from an Authorized Certifying Officer, Bureau of Reclamation, United States Department of the Interior,^{1/} concerning the entitlement of an employee to be reimbursed additional temporary quarters subsistence expenses incident to a permanent change of

^{1/} Sandra L. Inglefield, Denver, Colorado.

045625/138798

station in January 1988. We conclude that the expenses claimed may be allowed in part, for the following reasons.

BACKGROUND

Mr. George H. Wolfe, an employee of the Bureau of Reclamation, was transferred from Sacramento, California, to Denver, Colorado, with a reporting date of January 8, 1988. His travel authorization provided for a temporary quarters subsistence expense allowance for up to 60 days, less any househunting trip days performed by him and his wife prior to transfer.

On January 4, 1988, Mr. Wolfe, unaccompanied by his wife, began his en route travel. He arrived in the Denver area at 9 p.m. on January 7, 1988, where he remained in temporary quarters until March 7, 1988. On January 24, 1988, his wife traveled to Denver for an 8-day househunting trip.

The agency disallowed Mr. Wolfe's claims for (1) lodging expense (\$63) for the evening of January 7, and (2) temporary quarters for himself for 8 days (\$314.15) while his wife was in Denver on the househunting trip. Mr. Wolfe appeals the agency disallowances.

OPINION

Sections 5724 and 5724a of title 5, United States Code, authorize the reimbursement of certain expenses incurred by an employee and his family incident to a permanent change of station. Among those are the expenses of en route travel, temporary quarters subsistence, and a househunting trip. The regulations governing these matters are contained in chapter 1, part 7 and chapter 2, parts 4 and 5 of the Federal Travel Regulations (FTR).^{2/}

FTR, paragraph 1-7.5b, entitled "Per diem allowance computation," provides in part:

"(2) Travel of more than 24 hours.

.

"(c) Day travel ends.

^{2/} Incorp. by ref., 41 C.F.R. § 101-7.003 (1988). See Supp. 4, Aug. 23, 1982; Supp. 20, May 30, 1986; and Supp. 24, July 15, 1987.

"(i) Determining applicable rate. For the day travel ends (when employee . . . arrives at the new official station . . .), the per diem allowable shall be the M&IE [meals and incidental expense] rate applicable to the preceding calendar day prorated. . . .

"(ii) Method of prorating M&IE rate. The M&IE rate shall be prorated by dividing the day travel ends into 6-hour periods beginning at 12:01 a.m. . . . For each 6-hour period, or fraction thereof, one-fourth of the applicable M&IE rate shall be allowed."

Since Mr. Wolfe arrived in Denver during the last 6-hour period of January 7, 1988 (9 p.m.), his per diem for that day would be a full day's M&IE at the rate to which he was entitled for January 6, 1988.

With regard to the inception of temporary quarters reimbursement, FTR, para. 2-5.2g provides, in part:

"(1) Claim for temporary quarters when occupancy begins the same day en route travel ends. . . .

"(a) En route travel of more than 24 hours. When en route travel is more than 24 hours, the eligibility period for reimbursement for temporary quarters subsistence expenses shall start at the beginning of the calendar day quarter immediately following the calendar day quarter in which en route travel per diem ends."

Under this provision, Mr. Wolfe's temporary quarters eligibility period did not begin until the first quarter day of January 8, 1988. Since he received the full M&IE as his maximum authorized reimbursement for his last day of en route travel on January 7, 1988, he is not entitled under the FTR to be reimbursed the expense of lodging on the evening of January 7. Therefore, the agency action disallowing that lodging cost was correct. Joseph B. Stepan, 56 Comp. Gen. 15 (1976); Nancy D. Doll, B-198357, Mar. 12, 1981.

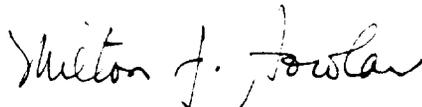
We note that Mr. Wolfe was authorized to be reimbursed for up to 60 consecutive days temporary quarters subsistence expenses. He claimed the full 60 days (January 8 through March 7, 1988) and was reimbursed on that basis. The expense claimed on appeal therefore represents, in effect, the cost of lodging for a 61st night which may not be allowed in any event. We are however calling to the

attention of the General Services Administration the anomaly created by the application of the regulations to situations such as Mr. Wolfe's.

On the other hand, the agency's action in reducing Mr. Wolfe's period of temporary quarters entitlement by the 8-day period that his wife was present on a househunting trip was not correct. Under FTR, para. 2-4.1a, an employee's roundtrip househunting travel must be fully accomplished before he reports for duty in order to be reimbursed. However, paragraph 2-4.1a goes on to provide:

"a. . . . Such a round trip by the spouse . . . may be accomplished at any time before relocation of the family to the new official station but not beyond the maximum time for beginning allowable travel and transportation."

The record shows that Mrs. Wolfe traveled to Denver on January 24, 1988, where she remained until January 31, 1988. Since this was during Mr. Wolfe's authorized temporary quarters period, he was entitled to continue receiving reimbursement for temporary quarters for himself for those 8 days. Additionally, he was entitled to reimbursement for the cost of Mrs. Wolfe's travel to Denver and return, and her househunting per diem during the 8 days. This would be limited to M&IE for her and would not include the lodging portion of per diem, since Mrs. Wolfe occupied his temporary quarters during the period at no additional cost. See George L. Daves, 65 Comp. Gen. 342 (1986).



Acting Comptroller General
of the United States