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**DECISION**



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

**FILE:** B-187261

**DATE:** March 4, 1977

**MATTER OF:** Walter W. Moore - Transportation of household goods - Employee erroneously retired

**DIGEST:** Employee who relocated after erroneous retirement and was later restored to agency rolls in new location, may not be reimbursed for transportation of household goods incurred in connection to relocation since relocation was personal choice not required by erroneously induced retirement.

This decision is in response to a request from Mr. Walter W. Moore, appealing the Certificate of Settlement Z-2608512 dated January 20, 1976, issued by our Claims Division, which disallowed his claim for reimbursement of the cost of shipping his household goods from Fort Hood, Texas, to Bryan, Texas, upon his erroneous early retirement from the Department of the Army.

Mr. Moore was an employee of the Army at Fort Hood, Texas, when he filed for retirement commencing July 1, 1973. After his separation by retirement he moved his household goods from Fort Hood to Bryan, Texas, and relocated in Bryan. On February 12, 1974, Mr. Moore's application for retirement was disallowed by the Civil Service Commission because he did not meet the conditions for early Optional Retirement. Therefore, his separation was considered erroneous and he was re-employed by the Army in Bryan, Texas, and was paid back pay with restored allowances. Mr. Moore now claims reimbursement for the cost of shipping his household goods to Bryan on the grounds that he would not have moved to Bryan had it not been for the erroneous retirement.

Under 5 U.S.C. § 5724 (1970) and the Federal Travel Regulations (FPMR 101-7) Chapter 2 (May, 1973), employees transferred in the interest of the Government are entitled to transportation of their household goods and personal effects within the weight limitation. Since Mr. Moore was not transferred he is not entitled to reimbursement of the cost of transporting his household goods.

Mr. Moore does not become entitled to reimbursement of the cost of transporting his household goods by reason of his erroneous retirement since his relocation was not a direct result of the erroneous personnel action. Furthermore, the file shows that the

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erroneous retirement was due to Mr. Moore indicating on his retirement application that he was not in receipt of retired military pay and as a result his military service was used in computing his years of service necessary for retirement. Even if Mr. Moore had been separated as the result of an administrative error on the part of the agency, separation from service as a federal civilian employee does not necessitate a change of residence. The decision to relocate was by personal choice on the part of Mr. Moore and not one required by his erroneous retirement.

Accordingly, we sustain the action of our Claims Division in disallowing Mr. Moore's claim for transportation expenses.

*[Handwritten Signature]*  
Acting Comptroller General  
of the United States