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Volpe
C.P.

DECISION



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

FILE: B-190282

DATE: March 14, 1978

**MATTER OF: Jack L. Batton--Temporary Storage of
Household Goods**

DIGEST: Employee placed his household goods in temporary storage in anticipation of transfer of official duty station upon completion of training course. Employee may not be reimbursed for temporary storage expenses incurred prior to actual notice of transfer in absence of intent by agency to transfer employee clearly evident at time expenses were incurred. Compare Phillip G. Whisnant, B-183597, September 3, 1975 and decisions cited therein where selection for training was regarded as tantamount to notice of transfer.

This action is in response to a request for our advance decision from Leon J. Boyce, Chief, Accounting Section, Internal Revenue Service (IRS), concerning the claim of Jack L. Batton, an IRS employee, for reimbursement for 60 days temporary storage of his household goods.

Mr. Batton was assigned to the IRS office in Jackson, Mississippi, when he was notified by letter dated April 14, 1976, that he had been selected to attend a Computer Programmer Class at the IRS National office in Washington, D.C., for the period May 11 through July 1, 1976. The letter indicated that if he successfully completed the training he would be assigned to the National Office effective July 18, 1976, but the letter also stated as follows:

"You are cautioned not to make any arrangements for a permanent move to the Washington, D.C. area until you are officially notified the reassignment will be effected."

We have been informally advised that Mr. Batton received notification by telephone of his acceptance in the program prior to receipt of the letter dated April 14, 1976, and that, based on that notification, he placed his household goods in temporary storage at his old duty station on April 14, 1976. There is no indication in the record before us whether or not reimbursement of moving expenses incurred in anticipation of the transfer was discussed in the

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telephone conversation. While the specific time period for which Mr. Batton claims temporary storage expenses is not indicated, we presume that it covers the period beginning April 14, 1976, and ending 60 days later in June of 1976. Mr. Batton's transfer and his authorization for moving expenses were not approved until July 2, 1976, and the agency questions whether it may reimburse Mr. Batton for temporary storage of his household goods when he had placed his goods in storage prior to official notification of his transfer.

Where the travel order subsequently issued includes authorization for the expenses, our Office has held that reimbursement of moving expenses incurred prior to and in anticipation of a transfer of official duty station may be allowed on the basis of a previously existing administrative intention, clearly evident at the time the expenses were incurred, to transfer the employee's duty station. James Jacobsen, 54 Comp. Gen. 993 (1975); 48 id. 395 (1968); and Samuel V. Britt, B-186763, October 6, 1976. What constitutes a clear intention to transfer an employee depends on the circumstances in each case.

In the present case Mr. Batton was notified on July 2, 1976, of his transfer to the National Office, but there is no indication of any intention to transfer Mr. Batton clearly evident at the time he placed his goods in storage. In fact, the notification of acceptance in the training program clearly advised Mr. Batton not to make any arrangements for a transfer to Washington, D.C. Therefore, Mr. Batton is not entitled to reimbursement for temporary storage of his household goods for the 60 day period beginning April 14, 1976, under our decisions on travel in anticipation of an official transfer based on existing administrative intent to transfer the employee. See 53 Comp. Gen. 836 (1974); 52 id. 8 (1972) and Stanley N. Hirsch, B-187045, August 3, 1977.

The record does not indicate the date on which Mr. Batton's household goods were removed from temporary storage. However, based on the fact that he claimed mileage and per diem expenses for permanent change of station travel performed from July 14 to 17, 1976, we presume that his household goods remained in temporary storage until after July 2, 1976. To the extent that this may have been the case, Mr. Batton may be reimbursed for up to 60 days temporary storage expenses incurred subsequent to actual notice of transfer. Under the particular

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circumstances, temporary storage expenses incurred after July 2, 1976, may properly be regarded as having been incurred incident to transfer.

Mr. Batton's case is to be distinguished from the situation of an employee who is selected for an employee development or training program which is conducted away from his duty station and who is virtually assured of being transferred to a then undetermined duty station other than his original duty station upon successful completion of the program. See Phillip G. Whisnant, B-183597, September 3, 1975; B-168224, November 19, 1969; and B-161795, June 29, 1967. In those decisions the employing agency has viewed notice of selection for participation in the program as tantamount to notice of a transfer of official duty station even though the location of the new duty station may not be known until the employee completed the program. Our Office has held that under those circumstances an employee may be reimbursed for travel and relocation expenses incurred after notification of selection in the program but prior to completion of the program and transfer to the new station. See Whisnant supra; B-168224, supra, and B-161795, supra. In such cases the employee may not actually be reimbursed for such expenses until after he has completed the program and has been transferred to the new duty station. Whisnant, supra.

Action may be taken on the voucher in accordance with the above.

R. F. Keller
Deputy Comptroller General
of the United States