

PLM I

DECISION



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

10, 717

FILE: B-194509

DATE: July 11, 1979

MATTER OF: John A. Orris - ^[CLAIM for] Relocation ^{and} Temporary
Quarters Subsistence]

DIGEST: Employee claims additional expenses for temporary quarters subsistence. Agency denied claim because employee had already been paid for a house-hunting trip. Agency exercised its discretion and followed policy outlined in Federal Travel Regulations to reduce period for occupying temporary quarters if house-hunting trip has been made. Even if method used resulted in reduced cost to Government, it does not furnish a basis for payment of temporary quarters subsistence claim denied.

An advance decision has been requested by Claude F. Pickelsimer, Jr. an authorized certifying officer of the Public Health Service, Department of Health, Education, and Welfare (HEW), concerning the reclaim voucher of Mr. John A. Orris for additional temporary quarters subsistence expenses incident to a permanent change of station from Lansing, Michigan, to Atlanta, Georgia.

By travel order dated October 18, 1977, Mr. Orris was authorized one round trip to his new duty station to seek housing. Mr. Orris' travel order states in pertinent part as follows:

"* * * TRAVELER MUST TRAVEL IN ACCORD-
ANCE WITH TRAVEL ORDERS. NO DEVIATIONS
AUTHORIZED. Round trip via POA @ 10c per
mile, 10/23-28/77, for employee and spouse from
Lansing, MI to Atlanta, GA to seek housing author-
ized in accordance with F.T.R. (GSA Bulletin,
FPMR, A-40) Part 4, subsistence-temporary duty
quarters at new duty station may be reduced by
the amount of the round trip to seek housing or
disallowed." (Emphasis added.)

Mr. Orris' claim for reimbursement for a round trip to find housing was allowed. A portion of his claim, representing the 2-day period that he and his family awaited delivery of household goods, was allowed in the amount of \$80.65. He is seeking an additional \$339.37 for temporary quarters.

*Temporary lodging allowance
Subsistence allowance
Relocation allowance
Travel allowance*

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The certifying officer states that it is the policy of HEW's Center for Disease Control to authorize either a round trip to seek housing or temporary quarters, but not both. Mr. Orris, however, says that the total amount he claimed was less than what would have been claimed had the round trip not been utilized since charges for 2 months storage of household goods and 30 days temporary quarters would have been incurred. He requests reimbursement because he alleges that the method he used was more advantageous to the Government.

Under the provisions of section 5724a(a) of title 5, United States Code, an employee and his spouse traveling together may be authorized one round trip to seek permanent residence quarters at a new duty station, and the employee and his immediate family may be reimbursed for the expenses of occupying temporary quarters for a period of 30 days.

Paragraphs 2-4.1 and 2-5.1 of the Federal Travel Regulations (FPMR 101-7) (May 1973) establish the general policy for administering these provisions. They state that a round trip to seek residence quarters may be authorized when circumstances warrant it and that an appropriate official of the agency shall decide whether such a trip should be authorized. Thus, authorization for travel to seek residence quarters is discretionary with the agency. The agency, in the exercise of its discretion, issued travel orders and authorized Mr. Orris a round trip to seek housing with the stipulation, quoted above, that reimbursement for temporary quarters might be reduced or disallowed.


This stipulation by the agency is consistent with the policy contained in the Federal Travel Regulations, both as to travel to seek residence quarters and subsistence while occupying temporary quarters. Paragraph 2-4.1b states, as to travel to seek residence quarters, that this part shall be administered to minimize or avoid the expense involved whenever other satisfactory and more economical arrangements can be made. Paragraph 2-5.1 states that, as a general policy, the period for temporary quarters shall be reduced or avoided if a round trip to seek permanent residence quarters has been made. Assuming then that Mr. Orris is correct in his statement that the method he chose was less costly to the Government; this fact is apparently one of the reasons that such a policy has been implemented. Mr. Orris was apparently successful in his

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house-hunting trip and his travel orders put him on notice that subsistence expenses for temporary quarters might be reduced by the amount of the round trip to seek housing or disallowed.

Therefore, even if the method used resulted in reduced cost to the Government, it does not furnish a basis for payment of temporary quarters subsistence. Matter of Patrick J. Twohig, B-185511, March 3, 1976.

Accordingly, Mr. Orris may not be reimbursed the claimed expenses.


Deputy Comptroller General
of the United States