

United States
General Accounting Office
Washington, D.C. 20548

Office of the General Counsel

B-248479

September 18, 1992

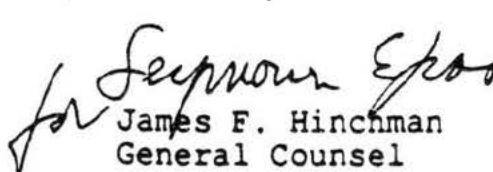
Mr.
U.S. Department of Agriculture
Farmers Home Administration
225 North Madison Street
Lancaster, Wisconsin 53813

Dear Mr. :

This responds to your March 27, 1992, appeal of our Claims Group's settlement 2-2867525, February 12, 1992, which denied reimbursement for the expenses of selling your home in Sauk City, Wisconsin, incident to your transfer to Alma, Wisconsin.

Your claim was denied because it was determined that your house in Sauk City did not meet the requirement of the governing regulations that it be the residence from which you regularly commute to work. You indicate, however, that because residence selling expenses were noted as authorized on the form that authorized your relocation, you should be reimbursed the selling expenses of your Sauk City home. However, the authorization you were given regarding residence selling expenses could not be contrary to the requirements and limitations of the applicable statutes and the Federal Travel Regulations. , B-245933, Feb. 28, 1992, copy enclosed. The Claims Group's settlement discussed the limitations of the regulations as they apply in your case, and upon review of the record, we find no error of law or fact in the Claims Group's settlement. Accordingly, that settlement is affirmed.

Sincerely yours,


James F. Hinchman
General Counsel

Enclosure

B-248479

September 18, 1992

CP

DIGESTS

1. An employee maintaining rented living accommodations in the immediate vicinity of his duty station in Whitehall, Wisconsin, who claims reimbursement for selling expenses for his family residence in Sauk City, 135 miles away, from which he claimed to commute to Whitehall two or occasionally three times weekly, is not entitled to those expenses because he has not shown that he commuted "regularly" to and from Whitehall from Sauk City as required by 41 C.F.R.

§ 302-1.4(j) (1990) and § 302-6.1 (1990).

2. Despite residence selling expenses being specifically authorized on the form that authorized relocation, and regardless of advice that may have been given regarding the selling expenses, those expenses may not be reimbursed to an employee who does not "regularly" commute to and from the residence from his worksite because they are strictly limited to those authorized by statutes and the Federal Travel Regulations.

1992.

, B-245933, Feb. 28,