

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

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B-178957

July 10, 1973

Mr. R. W. Accardi  
Regional Fiscal Agent  
United States Department of Agriculture  
630 Sansome Street  
San Francisco, California 94111

Dear Mr. Accardi:

This refers to your letter of June 7, 1973, reference 6540, requesting our decision as to whether you may certify for payment a voucher presented by Mr. Stephen A. Fitch representing a claim for reimbursement of expenses incurred incident to occupancy of temporary quarters at Lee Vining, California, upon change of official duty station.

You question the legality of payment of these expenses during the 10-day period, April 16, 1972, through April 25, 1972, because this represents an extension of time beyond an initial 30-day period immediately following transfer for which Mr. Fitch has been reimbursed under provisions of section 8 of Office of Management and Budget Circular No. A-5c.

Subsection 5724a(a)(3) of title 5, United States Code, provides in pertinent part as follows:

(3) Subsistence expenses of the employee and his immediate family for a period of 30 days while occupying temporary quarters when the new official station is located within the United States, its territories or possessions, the Commonwealth of Puerto Rico, or the Canal Zone. The period of residence in temporary quarters may be extended for an additional 30 days when the employee moves to or from Hawaii, Alaska, the territories or possessions, the Commonwealth of Puerto Rico, or the Canal Zone. \* \* \*

The statutory authority limits reimbursement of temporary quarters subsistence expenses to a period of 30 days except when transfers are made to or from areas noncontiguous to the continental United States.

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Since the record gives no indication that the transfer was made under circumstances subject to the exceptions, we find no basis upon which reimbursement may be allowed for a period longer than 30 days.

In response to your suggestion that Mr. Fitch's expenses be reimbursed as in the nature of a necessary administrative expense of the Government, we must advise you there is no authority for payment of expenses of temporary quarters subsistence incurred incident to transfer of official station other than that provided by 5 U.S.C. 5724a(a)(3).

The voucher which is returned herewith may not be certified for payment.

Sincerely yours,

Paul G. Deabling

Acting Comptroller General  
of the United States