

PLM II
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DECISION



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

Request for Reimbursement of

FILE: B-195973

DATE: August 25, 1980

MATTER OF: Sylvia Shaw Bell - One-way house-hunting trip *expense*

DIGEST: Employee who is reimbursed for per diem and mileage when traveling to the new duty station for house-hunting purposes is not subsequently entitled to reimbursement for one-way travel from old to new duty station after beginning to work at the new duty station as travel incident to permanent change of station. The one-way travel to the new station, even though followed by a few days considered as an allowable house-hunting trip, is travel incident to a permanent change of station when the employee does not return to the former duty station prior to beginning work at the new station.

Mr. H. Larry Jordan, an authorized certifying officer with the Department of Agriculture (USDA), National Finance Center, requests an advance decision on the propriety of certifying a voucher for payment based on per diem and mileage for Mrs. Bell and her spouse for a trip in connection with Mrs. Bell's permanent change of station.

The record shows that Mrs. Bell was offered a position with the Soda Springs YACC Camp, Forest Service, USDA, which she accepted on July 3, 1978. Mrs. Bell was issued travel orders for a permanent change of station from Mayhill, New Mexico, to Soda Springs, Idaho. The specified reporting date was July 13. That travel order authorized a round trip for Mrs. Bell and her spouse to seek residence quarters. This trip was planned for July 8 through 11.

Unknown to the official who authorized the house-hunting trip, Mrs. Bell was asked to report to duty earlier than July 13 and thus departed on July 8 with the expectation of remaining at her new duty station. When Mrs. Bell arrived in Soda Springs, she was informed that because the YACC Camp was not ready she would not be needed until July 17. Rather than return to New Mexico, Mrs. Bell remained in Soda Springs through July 17 and spent the 11th and 12th of July house hunting.

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Mrs. Bell entered temporary quarters on July 11. Her husband left New Mexico on July 25 and they jointly occupied temporary quarters after his arrival on July 27. Mrs. Bell has been paid temporary quarters subsistence expenses for the 30-day period through August 9. In addition, she has been paid mileage for travel by two privately owned vehicles and per diem for both her trip on July 8 and her spouse's trip on July 25. She has also been reimbursed under the commuted rate system for transporting her household goods and personal effects, part of which were moved on July 25 and the remainder in August.

Sometime prior to August 25, Mrs. Bell and her spouse returned to New Mexico, apparently to transport the rest of their belongings to Idaho. On August 25 they left New Mexico, arriving in Idaho on August 27. She has claimed mileage and per diem for this trip on the basis that their travel from New Mexico to Soda Springs at this time was for the purpose of effecting the permanent change of station whereas their earlier trips on July 8 and 25 had been for the purpose of house hunting.

The statutory authority for payment of house-hunting trip expenses is 5 U.S.C. § 5724a(a)(2) (1976). The implementing regulations contained in Part 2-4 of the Federal Travel Regulations (FTR) (FPMR 101-7) (May 1973) provide for round-trip house-hunting trips not to exceed 6 days at Government expense. We have previously held that when there is a short period of time between travel authorization and reporting date for duty it is not unreasonable to allow payment for a house-hunting trip even though the employee remains at the new duty station. Per diem for such trip is not forfeited because the employee did not travel round trip and return to his old station. B-178383, June 6, 1973, and B-165825, January 29, 1969. An employee who has traveled to his new duty station for the purpose of an authorized house-hunting trip and who does not return to his old station prior to entering on duty at his new station is not entitled to additional travel expenses for the purpose of effecting the change of station. The one-way travel performed in connection with the house-hunting trip is regarded as travel incident to the permanent change of station.

Since Mrs. Bell accomplished her change of station travel at Government expense on July 8, there is no authority by which she may be reimbursed for the second trip in August from her old

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to her new duty station. See generally 54 Comp. Gen. 301 (1974). Because FTR para. 2-4.1a restricts reimbursement for house-hunting purposes to one round trip by both husband and wife or by either spouse, and because there is no indication that his travel was for the purpose of house hunting, Mr. Bell's travel on July 25 cannot be regarded as other than permanent change of station travel. Matter of Thomas Fuchs, B-168829, July 27, 1976. Accordingly, we find no basis for payment of Mrs. Bell's claim for reimbursement in connection with her travel or that of her husband in August.

We note that Mrs. Bell has been paid temporary quarters subsistence expenses for the 30-day period beginning on July 11, 1978, and ending August 9, 1978. The documentation submitted in support of her temporary quarters claim includes a receipt for lodgings which indicates that she and her husband remained in temporary quarters for several days beyond the 30-day period for which reimbursement was authorized. Under the particular circumstances of her case, it appears that Mrs. Bell should instead have been paid per diem incident to house hunting for July 11 and 12, with temporary quarters reimbursement beginning on July 13. As noted above, we have held that an employee who performs a one-way house-hunting trip does not forfeit his entitlement to per diem for that purpose simply because he does not return to his old duty station. While FTR para. 2-4.1a requires that the employee's house-hunting trip be accomplished prior to his reporting to his new station, the confusion regarding the effective date of Mrs. Bell's change of station would not preclude payment of per diem for the 2 days she spent house hunting since it appears that she did not report for duty until July 17.

Harry K. Van Cleave
For the Comptroller General
of the United States