



The Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

Matter of: Paul E. Storer - Temporary Quarters Subsistence  
Expense - Extension Period Limitation

File: B-230788

Date: August 8, 1988

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### DIGEST

A transferred employee purchased a yet-to-be constructed residence which was not scheduled for completion until a date beyond the 60-day period of temporary quarters for subsistence expenses (TQSE). The agency denied his request for an additional 15 days TQSE. Paragraph 2-5.2 of the Federal Travel Regulations permits an agency to grant an extension of time for TQSE purposes, but only if events arise during the initial TQSE period to cause permanent quarters occupancy delays and if the events are beyond the employee's control. Since there were no such delaying events in this case, the claim is denied.

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### DECISION

This decision is in response to a request from an authorized certifying officer, Federal Bureau of Investigation (FBI), Department of Justice, concerning the entitlement of an FBI employee to be reimbursed temporary quarters subsistence expense (TQSE) for more than 60 days. We conclude that he may not be reimbursed for the following reasons.

### BACKGROUND

Mr. Paul E. Storer, an employee of the FBI, was transferred effective March 23, 1987. While on a househunting trip on March 5, 1987, he purchased a yet-to-be constructed residence at his new duty station with construction scheduled to be completed on or before June 30, 1987.

On March 23, 1987, Mr. Storer reported for duty at his new station and thereafter began his initial 60-day TQSE period. He settled on his new residence on June 9, 1987,

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approximately 15 days after his initial period of TQSE terminated. Following settlement, he requested an extension of his TQSE period for the additional 15 days. His request was administratively disallowed, and he now appeals that disallowance.

#### RULING

The regulations governing TQSE, which were in effect during the period of the claim and authorized by 5 U.S.C. § 5724(a)(3) (1982), are contained in Chapter 2, Part 5 of the Federal Travel Regulations (FTR), incorp. by ref., 41 C.F.R. § 101-7.003 (1987), as amended by Supp. 10, Mar. 13, 1984.

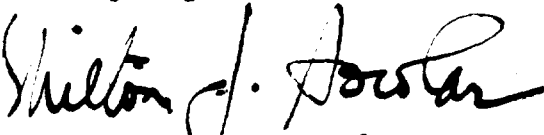
Paragraph 2-5.2 of those amended regulations, which sets forth the conditions and limitations for TQSE eligibility, provides in part:

"(a)(2) Additional time in certain cases.  
. . . Extensions of the temporary quarters may be authorized only in situations where there is a demonstrated need for additional time in temporary quarters due to circumstances which have occurred during the initial 60-day period of temporary quarters occupancy and which are determined to be beyond the employee's control and acceptable to the agency."

Thus, under the regulations, in order for an employee to receive an extension of the initial 60-day period, the event or events over which he has no control must arise during the initial 60-day TQSE period. See Arthur P. Meister, B-224884, Sept. 23, 1987, which also involved an FBI employee whose new house was not scheduled for completion until after the first 60 days of TQSE.

In the present case, no such event occurred which caused Mr. Storer's period of temporary quarters to have to be extended. When he contracted to purchase a yet-to-be constructed residence on March 5, 1987, he was informed then that construction would be completed as late as June 30, 1987. Thus, when he began his initial period of TQSE on or about March 23, 1987, he knew that the residence completion date and settlement were not likely to occur within 60 days.

Accordingly, since there were no events which arose during the initial 60-day period which delayed permanent residence occupancy, there is no basis to allow Mr. Storer's claim and the agency disallowance is sustained. Meister, supra.

*for*   
Comptroller General  
of the United States