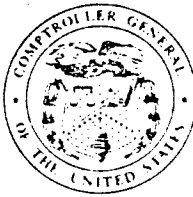


DECISION



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

FILE: B-184372

DATE: SEP 12 1975

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MATTER OF:

Gary C. Franson - Miscellaneous and transportation expenses incurred in moving mobile home

DIGEST:

Though expenses incurred in moving mobile home incident to permanent change of station may be of the type covered by the miscellaneous expenses allowance of FTR 2-3.1 et seq., the full claim by employee of the National Weather Service may not be allowed since it exceeds the maximum allowable amount under FTR 2-3.3. Reimbursement for transport of storage sheds may not be certified under transportation allowance for mobile homes as the sheds are not part of the home itself.

This action is in response to a request by a certifying officer of the National Oceanic and Atmospheric Administration, Department of Commerce, for an advance decision as to the propriety of certifying for payment a reclaim voucher in the amount of \$844.10 in favor of Mr. Gary C. Franson representing various expenses incurred in the transport of his mobile home incident to a permanent change of duty station.

By travel order dated March 5, 1975, Mr. Gary C. Franson, an employee of the National Weather Service, was authorized travel incident to a permanent change of duty station from San Francisco, California, to Fresno, California. Pursuant to Part 7 of Chapter 2 of the Federal Travel Regulations, FPMR 101-7 (FTR), Mr. Franson was eligible to receive an allowance for the transportation of his mobile home for use as a residence at his new duty station.

As authorized by FTR para. 2-7.3d, the Government assumed responsibility for the transportation of the mobile home and paid those costs directly to the commercial carrier involved through U.S. Government Bill of Lading K-4,881,759, dated March 5, 1975. For reimbursement of other expenses incurred in the move, Mr. Franson submitted a Travel Voucher dated April 22, 1975. For most of the amount disallowed by the certifying officer on that voucher, Mr. Franson has submitted the voucher now in question, dated May 28, 1975.

The amount now claimed relates to those expenses incurred in the transportation of the mobile home other than the direct cost of the

transportation of the home itself. The specific expenses claimed are listed as follows:

Tear-down and set-up of mobile home	\$550.00
Tear-down and set-up of skirting, awnings, screen room, and porch	743.00
Materials used in tear-down and set-up	325.75
Permits required for tear-down and set-up	95.00
Transport of storage sheds	100.00

Of the total amount claimed in excess of the cost of transportation of the mobile home by commercial transportation, the administrative office allowed \$839.20 as miscellaneous expense under FTR para. 2-3.3 and \$100 as cost of transporting storage sheds. Mr. Franson is now claiming reimbursement of the cost of the above-listed items. It is noted that reimbursement of one of the items reclaimed is the cost of the transportation of storage sheds for which he has already been reimbursed.

Payment of the cost of transporting an employee's "house trailer or mobile dwelling" incident to a permanent change of station is authorized by 5 U.S.C. 5724(b) which provides as follows:

"(b) Under such regulations as the President may prescribe, an employee who transports a house trailer or mobile dwelling inside the continental United States, inside Alaska, or between the continental United States and Alaska, for use as a residence, and who otherwise would be entitled to transportation of household goods and personal effects under subsection (a) of this section, is entitled, instead of that transportation, to—

"(1) a reasonable allowance not in excess of 20 cents a mile for transportation of the house trailer or mobile dwelling, if the trailer or dwelling is transported by the employee; or

"(2) commercial transportation of the house trailer or mobile dwelling, at Government expense, or reimbursement to the employee therefor, including the

payment of necessary tolls, charges, and permit fees, if the trailer or dwelling is not transported by the employee.

However, payment under this subsection may not exceed the maximum payment to which the employee otherwise would be entitled under subsection (a) of this section for transportation and temporary storage of his household goods and personal effects in connection with this transfer."

Part 7 of the Federal Travel Regulations, in effect at the time of the transfer, issued pursuant to a delegation of authority from the President contained in Executive Order No. 11609 of July 22, 1971, contains binding regulations with regard to payment by the Government of expenses incurred under the authority of the above statute. Paragraph 2-7.3 enumerates the expenses that may and may not be paid by the Government incident to commercial transportation of a mobile home as follows:

"2-7.3. Computation of allowances.

"a. Transportation by a commercial carrier.

"(1) Tariff rates. The allowance shall include the carrier's charges for actual transportation of the mobile home in an amount not exceeding the applicable tariff as approved by the Interstate Commerce Commission (or appropriate State regulatory body for intrastate movements) for transportation of a mobile home of the size and type involved for the distance involved, provided any substantial deviation from mileage shown in the standard highway mileage guides shall be explained.

"(2) Fees, tolls, and charges. The allowance also shall include ferry fares and bridge, road, and tunnel tolls; taxes; charges or fees fixed by a State or other government authority for permits to transport mobile homes in or through its jurisdiction; and carriers' service charges for obtaining necessary permits.

"(3) Charges excluded. Allowances shall not include costs of preparing mobile homes for movement,

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maintenance, repairs, storage, insurance for valuation of homes above carriers' maximum liabilities nor charges designated in the tariffs as 'Special Service.' (See 2-3 which relates to the miscellaneous expense allowance.)"

All of the expenses now claimed with the exception of the cost of the transportation of the storage sheds are not reimbursable under that paragraph. Reimbursement of the cost of preparing a mobile home for movement is specifically prohibited and the cost of reassembly is not listed as a reimbursable item. Furthermore, this Office has consistently disallowed reimbursement of the costs of disassembly and reassembly under the law and regulations pertaining to the transportation of mobile homes. B-179146, September 28, 1973. However, those expenses may be considered in determining the employee's entitlement to a miscellaneous expense allowance. See FTR para. 2-3.3. The miscellaneous allowance covers general types of costs inherent in relocation of a place of residence including costs involved in the relocation of a mobile home other than the costs of transportation. Since Mr. Franson has been reimbursed the transportation charges allowable as well as \$839.20 miscellaneous expenses which apparently was the maximum allowance which he could be paid under FTR para. 2-3.3b, the voucher may not be certified for payment.

Since storage sheds are not part of the mobile home there was no authority to reimburse Mr. Franson for this additional transportation expense. B-165919, January 22, 1969. Neither may he be reimbursed for it as a miscellaneous expense since the maximum allowance has already been exceeded as discussed above. The \$100 reimbursement for the transportation of the storage sheds was therefore improperly allowed and the necessary action should be taken to recover this amount from Mr. Franson.

Accordingly, the voucher may not be certified for payment.

R. F. KELLER

Acting

Comptroller General
of the United States