

# DECISION



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

FILE:

B-184809

DATE:

AUG

31 1976

601263  
98761

MATTER OF:

Dennis E. Snider - Relocation expenses, time  
limitation

DIGEST:

1. Employee who was transferred in October 1973 from Dallas, Texas, to Fort Worth, Texas, and had initially decided not to sell home near Dallas, but who sold such home in June 1975 to move near Fort Worth due to energy crisis and gasoline scarcity, may be granted extension to 1-year time limitation relating to real estate transactions, even though request was made after initial 1-year period since request was within overall 2-year limitation of paragraph 2-6.1e of Federal Travel Regulations.
2. Although employee who was transferred in interest of Government commuted from old residence to new duty station for 20 months, relocation expenses for subsequent change of residence for personal reasons may, if otherwise proper, be reimbursed because requirement that transfer be in interest of Government and not for benefit or convenience of employee is addressed to the transfer of the official duty station, as distinguished from the change of employee residence.

This action is in response to a request for a decision from the Director, Finance Division, Region 7, General Services Administration (GSA), concerning a voucher submitted by Mr. Dennis E. Snider, a GSA employee, for reimbursement of transportation and residence transaction expenses incurred incident to a permanent change of station.

The record indicates that the claimant, Mr. Snider, was transferred from Dallas, Texas, to Fort Worth, Texas, effective October 28, 1973. Because Mr. Snider then intended to commute from his home at Mesquite, Texas, east of Dallas, to his new duty

station at Fort Worth, no service agreement was signed nor was a relocation allowance authorized. Due to the energy crisis, scarce gasoline, and the closing of the Love Field Airport at Dallas, the claimant decided to move to a residence in Keller, Texas, a Fort Worth suburb. Settlement on the sale of his former residence occurred on June 24, 1975; transportation of his family and household goods to the new residence was accomplished on July 26, 1975.

After executing a service and reimbursement agreement, Mr. Snider made a written request on June 23, 1975, for a relocation allowance and an extension of the 1-year time limitation contained in Federal Travel Regulation (FPMR 101-7) para. 2-6.1e (May 1973). The Acting Regional Administrator approved the request and, upon the understanding that the matter would be forwarded to this Office for decision, authorized official travel, deeming the transfer "necessary and to the benefit of the Government."

The certifying officer has inquired whether a 1-year extension of the time limitation referred to above may be granted after the initial 1-year period has expired. We have previously considered this question at 54 Comp. Gen. 553 (1975) wherein we held that an employing agency has sufficient authority to approve a request for extension where the request is made after the initial period has expired, but within the overall 2-year limitation as provided by FTR para. 2-6.1e. Hence, the agency has discretion to grant an extension for any justifiable reason, so long as the residence transaction is reasonably related to the employee's transfer. 54 Comp. Gen. 553, 554 (1975).

The certifying officer queries next whether an employee may retroactively be authorized a relocation allowance. Although any payment in this matter would not be "retroactive" in the legal sense of the word, upon administrative approval of Mr. Snider's request for an extension of time, he may be found eligible to recover the claimed transportation and real estate expenses. B-183013, March 20, 1975.

Finally, it is asked whether this move may be considered as being "in the interest of the Government \* \* \* and not primarily for the convenience or benefit of the employee." This requirement, as set forth in 5 U.S.C. §§ 5724, 5724a (1970), is addressed to the transfer of the employee's official duty station, as distinguished

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from the change of his residence. As noted above, the official travel authorization approved by the Acting Regional Administrator states, "Transfer is deemed necessary and to the benefit of the Government." Having so determined that the transfer, as opposed to the change of residence, was for the benefit of the Government, the employee is entitled to reimbursement of his moving expenses. B-184251, July 30, 1975.

Accordingly, if otherwise proper, the voucher may be certified for payment.

E.F. KELLER

Deputy

Comptroller General  
of the United States