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DECISION



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

FILE: B-190332

DATE: April 26, 1978

MATTER OF: Edward F. Praxel - Travel Expenses

DIGEST: Former civilian teacher of Department of Army claims expenses incurred in traveling on weekends between residence at old duty station in Harrogate, England, where his family remained, and new duty station in Edzell, Scotland. Employee states assignment to Edzell was improper and denial of living quarters allowance prevented him from moving family there. Claim may not be allowed as there is no authority to reimburse employee for expenses of commuting weekly between his family's residence and his permanent duty station.

This matter concerns an appeal by Mr. Edward F. Praxel of the action by our Claims Division in Certificate of Settlement dated January 21, 1977, which denied his claim for reimbursement of travel expenses that he incurred incident to commuting between his permanent duty station in Edzell, Scotland, and Harrogate, England, where he maintained his residence.

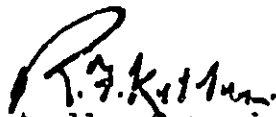
The record shows that effective August 25, 1971, Mr. Praxel was employed by the Department of the Army, United States Dependents Schools, European Area, to a teaching position in Harrogate, England. Mr. Praxel taught at the Harrogate Elementary School for the 1971-72 school year. Mr. Praxel's appointment in Harrogate was on a temporary basis not to exceed June 9, 1972. Mr. Praxel did not receive another appointment at the Harrogate school for the 1972-73 school year but instead received a teaching appointment in Edzell, Scotland. Mr. Praxel taught in Edzell from August 21, 1972, until January 8, 1973. Mr. Praxel states that he maintained his permanent residence in Harrogate as he could not afford to relocate his family in Edzell. Mr. Praxel contends that he was entitled to be reappointed at the Harrogate Elementary School and that he should not have been assigned to teach in Edzell. Mr. Praxel filed several grievances with the agency in which he

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contended that he was entitled to a continued appointment in Harrogate. Mr. Praxel also claimed entitlement to living quarters allowances under 5 U.S.C. 5923 during the course of his employment. In 1974, the Department of the Army determined that Mr. Praxel should have received a living quarters allowance incident to his employment, including the period during which he was stationed in Edzell and he was provided payment therefor. Mr. Praxel now claims reimbursement for costs of weekend rail travel between his permanent residence in Harrogate and his permanent duty station in Edzell. Mr. Praxel asserts that he is entitled to reimbursement for the expenses as a result of his "illegal" reassignment to Edzell and also because he would have been able to relocate his residence from Harrogate to Edzell had he been authorized payment of living quarters allowance at the time.

Mr. Praxel was assigned to Edzell from August 21, 1972, until January 8, 1973. Although such assignment may have been improper and the denial of a living quarters allowance may have prevented Mr. Praxel from moving his family to Edzell, we are unaware of any statute or regulation that authorizes reimbursement of the travel expenses claimed. In the absence of such specific authority, reimbursement for the travel expenses incident to commuting between Harrogate and Edzell may not be allowed. See Matter of Jimmy Morris, B-188358, August 10, 1977.

In view of the above, the disallowance of Mr. Praxel's claim by our Claims Division is sustained.


Deputy Comptroller General
of the United States

APR 21 1978

Director, Claims Division

Comptroller General

Edward F. Praxel - Claim for Travel Expenses - B-190332-O.M.

Returned is your file Z-2504512 forwarded here on June 26, 1977, in connection with Mr. Praxel's appeal from your denial of his claim for travel expenses. That denial is sustained by our decision of today, B-190332, copy attached.

Attachments