

PLM - I

DECISION



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

9367

FILE: B-192614

DATE: March 7, 1979

MATTER OF: Hughie L. Ratliff - Transfers - [Reimbursement
for Selling Residence *Incident to Change of Duty Station*]

DIGEST: Residence selling expenses are reimbursable to an FBI employee since his "old official station" was Alexandria, Virginia, where he sold his residence before his permanent transfer to Baltimore, Maryland. The transfer was interrupted by 14 weeks' training at Quantico, Virginia, when his designated duty station for administrative purposes only was FBI Washington Headquarters. But the training location and Washington Headquarters were only temporary duty locations between the permanent change of official station from Alexandria to Baltimore. 46 Comp. Gen. 703 (1967) distinguished.

This action is in response to the request from Mr. D. E. Cox, Authorized Certifying Officer, Federal Bureau of Investigation (FBI), for an advance decision on reimbursement of expenses incurred by Mr. Hughie L. Ratliff for the sale of his residence incident to his permanent change of duty station.

The question to be decided is whether Mr. Ratliff's residence which he sold was at his "old official station" before his transfer.

While serving as a Special Clerk in the FBI's Alexandria, Virginia, Field Division, Mr. Ratliff accepted an appointment as Special Agent on December 5, 1977. Upon his appointment and in accordance with FBI practice, Mr. Ratliff was administratively reassigned to FBI Headquarters in Washington, D. C., for a 14-week period of extensive training at the FBI Academy in Quantico, Virginia, and for reassignment to an FBI field office after the training. The FBI determined that Mr. Ratliff's services as a Special Agent were most needed at the Baltimore Field Office, and at the completion of training at Quantico he was transferred from Washington Headquarters to the Baltimore Field Office, evidently in March 1978.

During the 14-week training period, Mr. Ratliff received Government-furnished quarters and subsistence at the training location, the FBI Academy at Quantico. As in the case of other newly appointed Special Agents, Mr. Ratliff's administratively designated

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duty station was the Washington Headquarters from the time he was appointed on December 5, 1977, until he completed his training at Quantico and was transferred to the Baltimore Field Office.

Mr. Ratliff did not regularly report for duty at Washington Headquarters, since it is FBI practice to have newly appointed Special Agents on duty only at Quantico during training except on the day they are sworn in as Special Agents at Washington, D. C.

Mr. Ratliff has been employed by the FBI since 1967. While serving as a Special Clerk at the Alexandria, Virginia, Field Office and until he transferred to Baltimore after training, Mr. Ratliff owned his residence in Alexandria. He did not commute between Quantico and his residence during the training period, because trainees are confined to the FBI Academy in Quantico except on weekends.

Paragraph 2-6.1 of the Federal Travel Regulations (FTR) (FPMR 101-7, May 1973) states that the "Government shall reimburse an employee" for the expenses of a residence sale at the "old official station" and for the purchase of a dwelling at the "new official station," provided certain conditions are met. Under subparagraph 1, one condition is that "a permanent change of station" be authorized or approved.

The FBI disallowed the selling expenses under our decision 46 Comp. Gen. 703, B-160898, March 10, 1967. In that decision, we held that a newly appointed FBI Special Agent, assigned to Washington, D. C., for 14 weeks training, was not entitled to reimbursement of expenses incurred in selling his house in St. Joseph, Michigan, incident to his permanent assignment after training to Oklahoma City. We so held since the residence sold was not located at the "old official station," as required by the applicable regulation, now paragraph 2-6.1 of the FTR. It appears that the Special Agent in the 1967 case was a newly hired employee of the Government and would not have been entitled to the expenses of selling his residence in any event. 22 Comp. Gen. 869 (1943).

In the present case, however, Mr. Ratliff was an FBI employee before he was selected to be a Special Agent, and his residence was located at his old duty station in Alexandria, Virginia. Therefore, 46 Comp. Gen. 703 is distinguishable from the facts of this case.

In more recent decisions, we have held that when an employee's transfer is interrupted by an interim period of training at another

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location before the transfer, the training site is normally regarded as only an intermediate duty station. The permanent change of station is not completed until after the training and the transfer to the new permanent duty location. See 52 Comp. Gen. 834 (1973); B-166030, February 19, 1969; and B-185281, May 24, 1976.

Consequently, for the purpose of Mr. Ratliff's entitlement to residence selling expenses: (1) his "old official station" was Alexandria, Virginia, where he sold his family home; (2) his assignment to Washington Headquarters was an intermediate change of station; and (3) Washington was designated a duty station for administrative purposes only during the training period. His "permanent change of station" was between Alexandria and Baltimore.

Since Mr. Ratliff's residence was sold at his "old official station," under paragraph 2-6.1 of the Federal Travel Regulations, he may be reimbursed the expense incurred for the sale of his residence incident to the change of duty station, if otherwise correct.


Deputy Comptroller General
of the United States