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United States General Accounting Office
Washington, DC 20548

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Office of
General Counsel

In Reply
Refer to: B-194313

Mr. Burnell R. Bowen
Production Controller
U.S. Navy Office, Singapore
FPO San Francisco 96699

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APR 3 1979

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Dear Mr. Bowen:

This letter is in response to yours dated February 18, 1979, concerning the entitlement of Federal employees to be reimbursed for expenses incurred in the sale of a residence when they are transferred to a new permanent duty station.

You indicate that you were recently transferred from Long Beach, California, to Singapore incident to your employment with the Department of the Navy. You sold your home in California when you were transferred and paid certain realty fees in connection with the sale. However, item 11 of your official travel orders was marked to show that you were not authorized reimbursement of real estate expenses per the Joint Travel Regulations. You say you would like to know if you are nevertheless entitled to be reimbursed for the realty fees, in accordance with the principles set forth in Comptroller General's decision B-183979, of January 2, 1976, published at 55 Comp. Gen. 613.

Although a decision of the Comptroller General will not be issued at your request in this matter at the present time, the following information may be of use to you.

The entitlement of Federal employees to be reimbursed for the expenses of official travel is dependent upon the provisions of law contained in the United States Code and implementing administrative regulations. Provisions of law governing allowances payable to transferred Federal employees for expenses incurred in connection with real estate transactions are set forth in section 5724a of title 5, United States Code (1976). Section 5724a provides in pertinent part that a transferred employee may be reimbursed for the expenses of the sale of a residence only "when the old and new official stations are located within the United States, its territories or possessions, the Commonwealth of Puerto Rico, or the Canal Zone." The implementing administrative



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regulations contained in part 6 of Federal Property Management Regulation 101-7, and chapter 14, Volume 2, of the Joint Travel Regulations, necessarily contain the same restriction,

In the Comptroller General's decision to which you refer, 55 Comp. Gen. 613, it was held that a transferred employee's rights under the law and regulations to be reimbursed for costs of real estate transactions may not be abridged by the employing agency through any limiting remarks entered on the employee's official travel orders. It is to be noted, however, that the employee in question in that case had been transferred from Camden, New Jersey, to Washington, D.C., which are both located within the United States. Since you were transferred to Singapore, it appears you had no right under the law and regulations to be reimbursed for expenses in connection with the sale of your residence, and the decision you have mentioned has no application to your situation.

We trust this will serve the purpose of your inquiry.

Sincerely yours,

Edwin J. Monsma

Edwin J. Monsma
Assistant General Counsel