



**The Comptroller General  
of the United States**

Washington, D.C. 20548

## Decision

**Matter of:** Larry C. Larson - Temporary Quarters Subsistence  
Expenses - Vacation

**File:** B-230390

**Date:** September 13, 1989

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### DIGEST

After terminating temporary quarters at his old duty station in Washington, D.C., an employee and his family took a planned and approved vacation en route to the employee's new duty station in Portland, Oregon. The employee may not be paid temporary quarters subsistence expenses (TQSE) for those days he took as a vacation en route to his new duty station, even though the vacation did not delay occupancy of a permanent residence at his new duty station, since applicable Federal Travel Regulations prohibit TQSE for vacation purposes.

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### DECISION

This responds to a request for an advance decision by Ms. Joanne C. Henry, an authorized certifying officer of the Bonneville Power Administration (BPA). Ms. Henry seeks an opinion on the propriety of paying the reclaim voucher of Mr. Larry C. Larson for temporary quarters subsistence expenses (TSQE) incident to a permanent change of duty station from Washington, D.C., to Portland, Oregon. The reclaim voucher, which in effect claims TQSE for those days that Mr. Larson took as a vacation en route to his new duty station, may not be paid since Federal Travel Regulations prohibit TQSE for vacation purposes.

### BACKGROUND

Mr. Larson left Chantilly, Virginia, en route to his new duty station in Portland, Oregon, on August 1, 1986. From August 2 to 10, he was travelling in Connecticut, Rhode Island, Massachusetts, Maine and Quebec, Canada. The trip appears to have been a planned and approved vacation as evidenced by the form BPA 1019 signed by his supervisor on July 16, 1986, which reflects en route travel dates of August 1 to 25, 1986, and 10 days allocated for leave en route. Mr. Larson actually arrived in Portland on

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August 19, where he stayed in temporary quarters until September 19, 1986.

Mr. Larson was authorized 40 days TQSE for his relocation from Washington, D.C., to Portland, Oregon. He initially claimed and was paid TQSE from July 29 to 31, 1986, at his old official station, and from August 19 to September 14, 1986, at his new official station. He also claimed and was paid per diem for August 11 to 18, 1986, for travel to the new station. Mr. Larson subsequently submitted a reclaim voucher in the amount of \$745.81 for TQSE for August 11 to 18. His reclaim was made on the basis of a reconstructed arrival at the new official station on August 11, 1986. Apparently, Mr. Larson believes that, since his vacation did not delay his occupancy of permanent quarters, his claim should be reconstructed to show, in essence, travel to his new station between August 1 and 10 (8 days of which would be reimbursable) and arrival at his new station on August 11.

#### OPINION

Under the implementing regulations prescribed pursuant to 5 U.S.C. § 5724a(a)(3) (Supp. IV 1986), a transferred employee may be reimbursed subsistence expenses for himself and his immediate family for up to 60 days while occupying temporary quarters. The regulations provide that temporary quarters are to be regarded as an expedient to be used only if or for so long as necessary until the employee can move into permanent residence quarters. See Federal Travel Regulations (FTR), para. 2-5.2a(3) (Supp. 10, Mar. 13, 1983), incorp. by ref., 41 C.F.R. § 101-7003 (1988). Furthermore, the regulations provide that occupancy of temporary quarters shall not be approved for vacation purposes or other reasons unrelated to the transfer. See FTR, para. 2-5.2d. This provision first appeared in Supplement 10 of the FTR which was effective November 14, 1983.

Prior to enactment of this provision, we held that TQSE may be paid for a period of annual leave provided the taking of leave did not cause an extension of the period of occupancy of temporary quarters or a delay in the occupancy of permanent quarters. The fact that the employee was on vacation was not determinative of his entitlement. See Jon C. Wade, 61 Comp. Gen. 46 (1981), and decisions cited therein. However, the current regulations clearly prohibit reimbursement of TQSE for periods of annual leave taken for vacation purposes. Therefore, even though the agency found that the period of leave did not delay occupancy of permanent quarters, the leave was used for vacation purposes for which reimbursement of TQSE is now specifically prohibited.

Accordingly, Mr. Larson may not be reimbursed for the expenses incurred on those days that he took as a vacation en route to his new duty station.

*Sheldon J. Fowler*

**Acting** Comptroller General  
of the United States