

Reich



**The Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: Inez S. Graetzer - Request for Waiver - Erroneous
Relocation Expenses

File: B-233827

Date: June 2, 1989

DIGEST

A newly hired, nonshortage category employee erroneously was issued travel orders and a travel advance for her personal travel by private automobile and shipment of her household goods under the commuted rate system to her duty station. After the employee incurred relocation expenses in good faith reliance on the orders, the agency discovered the error and recommended waiver of the employee's debt. Waiver is granted; however, it is limited to an amount based on expenses the employee actually incurred, which in this case is the mileage allowance for the expense of her personal travel and the amount she actually paid for transportation of her household goods, not the greater amount computed under the commuted rate system.

DECISION

This decision is in response to a request by the Authorized Certifying Officer, Bonneville Power Administration, Portland, Oregon, that Ms. Inez S. Graetzer's debt to the Administration be considered for waiver under the authority of 5 U.S.C. § 5584.

Ms. Graetzer's debt results from an erroneous relocation travel authorization she was issued when she was hired as a new appointee in a nonshortage category position by the Bonneville Power Administration. It erroneously authorized Ms. Graetzer's travel and shipment of her household goods from her home to her duty station.^{1/} She was given a travel advance in the amount of \$2,812 for her personal

^{1/} With some limited exceptions not applicable to Ms. Graetzer, newly hired employees are not entitled to payment by the government of their expenses in relocating to their first permanent duty station. Federal Travel Regulations, para. 2-1.3a.

045637/138817

travel and relocation expenses including shipment of her household goods under the commuted rate system. After the relocation was completed the agency discovered its error. It advises that had Ms. Graetzer's relocation expenses been properly payable she would have been entitled to \$2,550.83, consisting of \$60.15 for mileage and \$2,490.68 for shipping 5,680 pounds of household goods at the commuted rate of \$43.85 per hundredweight. Since Ms. Graetzer incurred expenses as a result of what appeared to be a proper travel authorization, the agency recommends waiver.

We have held that a travel advance payment may be considered erroneous and subject to waiver to the extent it was made to cover expenses erroneously authorized and the employee actually spent the advance in reliance on the erroneous travel orders. To the extent the advance was not spent on the erroneously authorized expense, it is still considered merely a loan and not subject to waiver. Rajindar N. Khanna, B-225263, June 28, 1988, 67 Comp. Gen. ____; and Major Kenneth M. Dieter, B-226842, June 28, 1988, 67 Comp. Gen. ____.

To determine the appropriate amount for waiver consideration where the debt included shipment of household goods under the commuted rate system, we requested information as to the actual expense Ms. Graetzer incurred for the shipment since that expense is often different from the amount based on the weight of the goods at the commuted rate. See e.g., Kenneth T. Sands, B-229102, Dec. 5, 1988.

The agency furnished additional information showing that Ms. Graetzer used a commercial moving company for the shipment of her household goods for which she paid the company \$1,813.09. Therefore, that amount plus the \$60.15 mileage allowance for the expense of her travel by private automobile (a total of \$1,874.24) is the amount to be considered for waiver in this case since that is the amount of the travel advance spent in reliance on the erroneous authorization.

The agency recommends waiver on the basis that Ms. Graetzer acted in good faith and incurred substantial expenses in reliance on her erroneous travel authorization, and therefore it would be against equity and good conscience to collect these costs from her. We agree, and waiver in the amount of \$1,874.24 is hereby granted. The remainder of

the outstanding travel advance, however, is considered a loan which should be collected.

A handwritten signature in cursive script, reading "Milton J. Fowler".

Acting Comptroller General
of the United States