



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

March 13, 2014

CBCA 3612-RELO

In the Matter of MARK D. THOMPSON

Mark D. Thompson, Parkland, WA, Claimant.

James F. Scott, Deputy Chief of Staff, United States Army Cadet Command, Fort Knox, KY, appearing for Department of the Army.

DRUMMOND, Board Judge.

In March 2011, Mark D. Thompson, while working with the Department of the Army (agency) in Monterey, California, accepted a position with the agency in Parkland, Washington. From June 20 through 23, 2011, Mr. Thompson made a house-hunting trip to Tacoma, Washington, near Parkland, and incurred expenses in the amount of \$565.90. On July 21, 2011, the agency finalized an authorization for Mr. Thompson's permanent change of station (PCS). On the authorization, a checked box indicates that house-hunting expenses are authorized. His reporting date at the new duty station was September 11, 2011. Mr. Thompson later sought reimbursement for his house-hunting trip expenses. The agency declined to pay these expenses because he lacked authorization at the time the costs were incurred. Mr. Thompson seeks an "exception to the policy that would allow him to be reimbursed for his house-hunting trip." Mr. Thompson's commanding officer supports his request for an exception. The commanding officer also states that the command has funds to reimburse Mr. Thompson's house-hunting expenses. He states further that "Mr. Thompson has been counseled . . . concerning the proper PCS procedures and he is aware the requested reimbursement is discretionary."

The agency properly followed the applicable travel regulations in refusing to reimburse Mr. Thompson's house-hunting expenses for the period in question. The applicable Federal Travel Regulation (FTR) expressly addresses when an employee may take

a house-hunting trip. It states that an employee may begin a house-hunting trip “as soon as your agency has notified you of your transfer and issued a travel authorization” 41 CFR 302-5.10 (2012).

The Joint Travel Regulations (JTR) supplement the FTR and are applicable to civilian employees of the Defense Department. JTR C5608 addresses when a house-hunting trip may begin. It states that when authorized, a house-hunting trip may begin after: “(1) the employee signs a service agreement; and (2) the agency informs the employee of the reporting date to the new permanent duty station.”

Regardless of whether officials at Mr. Thompson’s duty station would allow reimbursement and have the funds to do so, this Board has no authority “to waive, modify, or depart from the Government’s official travel regulations for the benefit of any federal employee who is subject to them.” *Myles England*, 09-1 BCA ¶ 34,045, at 168,382 (2008) (quoting *Charles T. Oliver*, GSBCA 16346-RELO, 04-1 BCA ¶ 32,614, at 161,405).

The claim is denied.

JEROME M. DRUMMOND
Board Judge