Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Staff Sergeant Daren L. Pierce, USAF--Dislocation Allowance

File: B-271891

Date: September 11, 1996

DIGEST

Dislocation Allowance (DLA) is not authorized for an Air Force member incident to his move out of his assigned government quarters into other assigned quarters because his initial quarters were scheduled for renovation. Although the move was directed by military authorities, it did not meet the requirements for DLA prescribed by regulation pursuant to statute that the relocation be incident to a transfer of duty assignment or an evacuation. In this case the member's reimbursement is limited to certain actual expenses incurred, if any, for services considered mandatory for habitation of the quarters, such as utility and telephone connection fees, but not including the cost of purchase of personal items, such as blinds, rugs, and curtains.

DECISION

This is in response to a request for a decision of the Comptroller General as to the entitlement of Staff Sergeant Daren L. Pierce, USAF, to a dislocation allowance (DLA) incident to his directed move from his assigned government quarters to other assigned government quarters without a change in permanent duty station.[1] As explained below, he is not entitled to DLA in these circumstances.

BACKGROUND

The submission states that because the family quarters assigned to Sergeant Pierce at Mountain Home Air Force Base were scheduled for renovation, he was directed to move to other government quarters at Mountain Home. No reassignment of duty station was involved. The Finance Officer states that he received preliminary information indicating that a DLA was payable in these circumstances, and consequently Sergeant Pierce and several other members were paid DLA incident to the change of quarters. However, a subsequent determination on the matter by the

[1]The request for decision was submitted by the Financial Services Officer, 366th Comptroller Squadron (ACC), Mountain Home Air Force Base, Idaho.

Defense Finance and Accounting Center (DFAS), Denver Center, stated that under the Joint Federal Travel Regulations (JFTR), paragraph U5630B, payment of DLA is not permitted in these circumstances.

The Finance Officer asks whether DLA is authorized for government-directed moves from one set of government quarters to another in the described circumstances, and he asks several related questions. [2]

ANALYSIS

DLA is a lump-sum allowance equal to the member's basic allowance for quarters for 2 months, and it is authorized pursuant to 37 U.S.C. § 407, under regulations prescribed in the JFTR, Chapter 5, Part G. The purpose of DLA is to partially reimburse a member for miscellaneous expenses incurred in relocating his or her household upon a permanent change of station (PCS) or an evacuation, and it is payable in addition to other PCS allowances. JFTR paras. U5600 and U5630A. In addition to payment incident to a relocation due to a PCS between stations widely separated, the regulations provide that a DLA may be paid in certain circumstances where the relocation is between quarters in proximity to each other. These latter circumstances involve a PCS or transfer of duty assignment; 1. when a member's relocation is deemed necessary as a result of a PCS between stations in proximity to each other; 2. when the relocation of the household incident to a PCS is between places in proximity to each other, whether or not within the same city; or 3. when the relocation is necessary due to a transfer of duty assignment within the corporate limits of the same city. JFTR, para. U5630B1 and U5630B2. All of these circumstances in which a DLA may be authorized involve a PCS or transfer of duty assignment. A move from one set of quarters to another without such a transfer of duty assignment, or not incident to an evacuation, although directed by military authority such as in Sergeant Pierce's case, does not qualify for DLA. See 55 Comp. Gen. 932 (1976). Accordingly, the determination provided by DFAS that DLA is not payable incident to the directed changes in quarters involved in this case is correct.

The Finance Officer also asks what reimbursement of expenses is authorized in a case such as Sergeant Pierce's when DLA is not payable. In particular he asks about reimbursement for the cost of purchasing such items as new curtains and blinds. In this regard, we have held that a member may be reimbursed from Operations and Maintenance funds for certain expenses incurred for services which

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[2]We note that this request for decision was not forwarded through DFAS prior to submission here, as required by service regulations. AFR 177-101, Feb. 15, 1991, para. 11-11. While ordinarily we seek compliance with that procedure so as to have the benefit of DFAS's views, in this case the record contains the DFAS determination referred to in the submission.

are mandatory for the actual habitation of the new quarters, on the basis that such expenses are incurred in connection with the proper administration of the military base involved in the directed change in quarters. 55 Comp. Gen. 932, supra. See also 52 Comp. Gen. 69 (1972), to the same effect concerning the directed move of a member's house trailer not incident to a PCS. Such reimbursement, however, is not a payment of a lump-sum allowance in the nature of DLA; it is reimbursement for the actual costs the member incurred for certain services considered mandatory for the habitation of the new quarters, such as fees paid for connection of utilities and telephone, but not for the purchase of personal items such as blinds, rugs, and curtains. 52 Comp. Gen. 69, supra; 55 Comp. Gen. 932, supra; and 68 Comp. Gen. 307 (1989). We know of no authority which would permit reimbursement for purchase of such personal items in a case such as Sergeant Pierce's.[3]

/s/Seymour Efros
for Robert P. Murphy
General Counsel

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[3]To the extent that Sergeant Pierce is determined to be in debt for the erroneous DLA payment he received, it may be considered for waiver under the provisions of 10 U.S.C. § 2774; and 4 C.F.R. Parts 91-92.