

**Board of Contract Appeals**  
General Services Administration  
Washington, D.C. 20405

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December 16, 2005  
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GSBCA 16677-RELO

In the Matter of GRACELYN EULANDA JAMES

Gracelyn Eulanda James, Clearwater, FL, Claimant.

Randy Keuten, Supervisor, Travel Section, Financial Services Center, Department of Veterans Affairs, Austin, TX, appearing for Department of Veterans Affairs.

**NEILL**, Board Judge.

Background

Claimant, Ms. Gracelyn Eulanda James, is an employee of the Department of Veterans Affairs. Earlier this year she underwent a permanent change of station move. As part of her travel authorization, Ms. James was given the option of receiving either a fixed amount of reimbursement for temporary quarters subsistence expenses (TQSE) or an actual TQSE method of reimbursement. She chose the fixed amount for reimbursement.

On arriving at her new duty station, Ms. James encountered unexpected difficulty in locating permanent quarters. At the time her fixed reimbursement for TQSE expired, she still had not found acceptable permanent quarters. She, therefore, requested permission to retract her earlier election of a fixed reimbursement in favor of an actual TQSE method of reimbursement.

Claimant's agency denied the request on the ground that the original TQSE election cannot be changed after the employee has completed her travel. Ms. James has asked that we review the agency's ruling on her request.

Discussion

Two provisions of the Federal Travel Regulation (FTR) state the following with regard to the extension of fixed reimbursement of TQSE:

What am I paid under the fixed amount reimbursement method?

If your agency offers and you select the fixed amount TQSE reimbursement method, you are paid a fixed amount for up to 30 days. No extensions are allowed under the fixed amount method.

41 CFR 302-6.200 (2004) (FTR 302-6.200).

Will I receive additional TQSE reimbursement if my fixed amount is not adequate to cover my TQSE?

No, you will not receive additional TQSE reimbursement if the fixed amount is not adequate to cover your TQSE.

FTR 302-6.202.

Apparently aware of this strict limitation on extension of the fixed reimbursement of TQSE, claimant has requested instead permission to revoke her original selection of fixed reimbursement in favor of the actual TQSE method of reimbursement. This, however, is not a viable solution to her problem. As the agency has recognized, it is well settled that an agency may not retroactively change a travel authorization from the fixed amount method to the actual expense method. Marsha M. Webb (Dompreeh), GSBCA 16542-RELO, 05-2 BCA ¶ 33,006; Joel Williams, GSBCA 16437-RELO, 04-2 BCA ¶ 32,769; Samuel E. Jones, GSBCA 15770-RELO, 02-2 BCA ¶ 32,897.

The retroactive change claimant would have the agency make in her original travel authorization would violate a fundamental and well-established rule concerning the amending of travel orders. Pursuant to that rule, travel orders, which become fixed after the travel has been performed, may not be revoked or modified retroactively so as to increase or decrease the rights of an employee. An exception to the rule is made only where there are errors apparent on the face of the original orders or where all the facts and circumstances surrounding the issuance of the original orders clearly demonstrate that some provision which was previously determined and definitely intended was inadvertently omitted in their preparation. Williams; Alex L. Rowe, GSBCA 14479-RELO, 98-2 BCA ¶ 29,919.

#### Decision

The agency has acted correctly, therefore, in denying Ms. James' request. The claim is denied.

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EDWIN B. NEILL  
Board Judge