

# **Board of Contract Appeals**

General Services Administration  
Washington, D.C. 20405

---

July 13, 2006

---

GSBCA 16867-RELO

In the Matter of GABRIELLE MANCUSO

Gabrielle Mancuso, Lexington, NC, Claimant.

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

**DeGRAFF**, Board Judge.

As a general rule, an employee can be reimbursed for only those relocation expenses incurred after the employee receives a written travel authorization or after the agency manifests a clear administrative intent to transfer the employee.

## Background

Gabrielle Mancuso was employed by the Department of Veterans Affairs (DVA) in New Orleans, Louisiana, when Hurricane Katrina struck in late August 2005. In September, DVA authorized its New Orleans employees to perform temporary duty assignments in other DVA offices. DVA explained the temporary duty assignments would be reviewed after thirty days, at which time employees might be asked to go to other offices, based upon the needs of the agency.

Ms. Mancuso did not request a temporary duty assignment to a DVA office outside of New Orleans. Her husband was going to begin work in North Carolina, and on October 20, Ms. Mancuso asked for a permanent transfer to a DVA office there. Instead of approving Ms. Mancuso's request, DVA assigned her to temporary duty for thirty days at a

DVA office in North Carolina, effective November 14. On December 21, DVA told Ms. Mancuso it was going to approve her permanent transfer to North Carolina.

Shortly after DVA approved Ms. Mancuso's temporary duty assignment in North Carolina, and before DVA told her it was going to approve her permanent transfer there, she sold her home in Louisiana, purchased a home in North Carolina, moved her household goods, traveled to North Carolina, and brought her family there. When she asked DVA to reimburse the expenses she claimed to have incurred in connection with her transfer, DVA decided it could not reimburse most of her expenses because she incurred them before she learned she would be transferred to North Carolina. Ms. Mancuso asks us to review DVA's decision.

### Discussion

When a federal agency transfers an employee from one permanent duty station to another in the interest of the Government, statute authorizes the agency to reimburse the employee for expenses related to the transfer. 5 U.S.C. §§ 5724, 5724a (2000). In order to be reimbursed, employees must meet requirements set out in the Federal Travel Regulation, which says an employee cannot begin to relocate until the agency provides a written travel authorization. 41 CFR 302-2.1, -2.2 (2005). As a general rule, when an employee incurs relocation expenses before receiving a written travel authorization, the employee will be eligible for reimbursement only if the employee incurs the expenses after the agency manifests a clear administrative intent to transfer the employee. *Connie F. Green*, GSBCA 15301-RELO, 01-1 BCA ¶ 31,175 (2000).

Ms. Mancuso completed her move to North Carolina before DVA either gave her a written travel authorization or expressed a clear intent to transfer her. The expenses Ms. Mancuso incurred were not due to her transfer to North Carolina, because by the time DVA told her it intended to transfer her, she had already incurred those expenses and was already established there. DVA correctly concluded it could not reimburse Ms. Mancuso because she incurred her expenses before she received a written travel authorization and before DVA manifested a clear administrative intent to transfer her.

The claim is denied.

---

MARTHA H. DeGRAFF  
Board Judge