



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** Guriqbal S. Nat - Relocation Expenses -  
Deceased Employee

**File:** B-248698

**Date:** September 18, 1992

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### DIGEST

1. An employee who was authorized to perform a permanent change of station incident to a transfer from the Department of the Navy to the National Aeronautics and Space Administration (NASA), died before reporting for duty at his new duty station. NASA, as the gaining agency, is responsible for payment of any travel and relocation expenses incurred prior to the employee's death.

2. An employee died before reporting to his new duty station. At the time of his death his household goods had been shipped by the agency. Subsequent to his death, his surviving dependents moved to the location of the new duty station, and the widow has claimed reimbursement for their travel and relocation expenses. Under these circumstances, the costs of shipping and storing the deceased employee's household goods are allowable expenses, since the shipment was initiated in anticipation of the transfer and the need for storing the shipment continued after the employee died. The other travel and relocation expenses that were incurred after the employee's death may not be reimbursed.

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### DECISION

The Administrator, National Aeronautics and Space Administration (NASA), asks what relocation benefits, if any, are the dependents of Mr. Guriqbal S. Nat, entitled to receive, and which agency is required to make payment since the employee died before reporting to his new duty station. We hold that the payment is to be made by the gaining agency, NASA, but only for the shipment and storage of household goods.

### FACTS

Mr. Nat was employed by the Naval Hospital in Millington, Tennessee, when he was offered and accepted a position with NASA's Ames Research Center in Mountain View, California,

effective May 19, 1991. Mr. Nat suffered a heart attack on May 17 or 18, at his old duty station, and he died on May 24, 1991.

Before Mr. Nat's heart attack, NASA had issued travel orders, and Mr. Nat's household goods had been shipped to California on May 17, and placed in storage on June 3, 1991. A Notification of Personnel Action (SF-50) was issued by NASA indicating a transfer effective May 19, 1991, and the Navy furnished a leave statement which indicates that Mr. Nat was separated from its rolls on May 18, 1991.

NASA has paid the cost of the shipment (\$3,701.86) and the storage charges (\$1,922.95). In addition, Mrs. Nat has claimed en route travel (mileage and per diem) for herself and her two children from June 1 to June 5 in the amount of \$949.06. She has also presented a claim for TQSE for 117 days from June 6 to September 30, for \$8,674.49. (Initially NASA only authorized 30 days TQSE but then authorized an additional 90 days, of which 7 days were used.) Mrs. Nat also claims miscellaneous expenses of \$700.

#### OPINION

It is clear that Mr. Nat was an employee of NASA when he died. The leave record furnished by Navy indicates that Mr. Nat was separated from its rolls effective at the end of the pay period, Saturday, May 18, 1991, and the SF Form 50 prepared by NASA shows that he was transferred to NASA effective the beginning of the next pay period, Sunday, May 19, 1991. Since Mr. Nat had transferred to NASA's rolls, that agency is required to pay any travel and relocation expenses that are due to his surviving dependents. 5 U.S.C. § 5724(e) (1988); Thomas D. Mulder, 65 Comp. Gen. 900 (1986).

Sections 5724 and 5724a of title 5, United States Code (1988), authorize payment of travel, transportation, and relocation expenses of an employee and his dependents transferred in the interest of the government. Section 302-1.4(1) of the implementing Federal Travel Regulations provides that the effective date of such a transfer is the date on which the employee "reports for duty at his/her new or first official station." While an employee is authorized to incur travel and relocation expenses in anticipation of his transfer once his travel orders are issued, his transfer is not consummated until he reports for duty at his new duty station. 54 Comp. Gen. 993, 995 (1975).

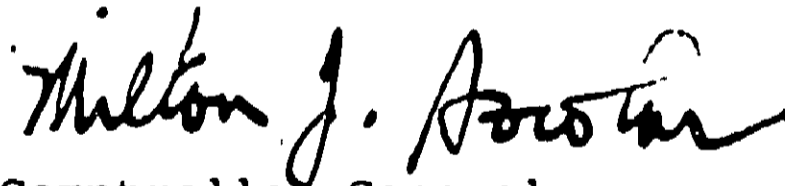
We have considered a situation similar to Mr. Nat's, where the employee became ill while en route to his new duty station and died without reporting for duty. 43 Comp. Gen. 128 (1963). We held that while the employee could be

reimbursed for his travel expenses up to the time of his death, his death terminated any rights of his dependents to incur any further travel or relocation costs. See also Lowell W. Cossairt, B-224711, Jan. 8, 1987, where we cited the earlier case in denying the claim of the wife of a deceased employee for moving expenses back to her former place of residence following her husband's death.

Based on the foregoing, we find that only the costs of shipping and storing Mr. Nat's household goods are allowable. At the time of Mr. Nat's death, his household goods had been shipped. Since the cost of the shipment is an expense incurred during the time the transfer orders were in effect, it was properly paid by NASA. Similarly, the storage charges properly were paid by NASA since these charges arose out of the same transaction and the need for these charges continued after the employee's death.

On the other hand, the en route travel, TQSE, and miscellaneous expenses incurred by Mrs. Nat and her family may not be allowed. These expenses were incurred after Mr. Nat had died and there is no indication that his family moved to California to fulfill a legal obligation incurred while his travel orders were in effect. Rather, it appears that Mrs. Nat's decision to move her family there following her husband's death was a personal decision. Since we do not find that these expenses were incurred in the interest of the government, we see no legal basis upon which to reimburse the dependents for these expenses.

Accordingly, NASA is obligated to pay for the shipment and storage of Mr. Nat's household goods. The balance of the claim by Mr. Nat's survivors is denied.

*for*   
Comptroller General  
of the United States