



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

September 30, 2026

CBCA 8421-RELO

In the Matter of CHRISTOPHER H.

Christopher H., Claimant.

Gabrielle Y. Doty, Director, Travel Mission Area, Enterprise Solutions and Standards, Defense Finance and Accounting Service, Indianapolis, IN, appearing for Department of Defense.

SHERIDAN, Board Judge.

Claimant seeks entitlement to temporary quarters subsistence expenses (TQSE), as well as miscellaneous expenses (MEA), for his permanent change of duty station (PCS) from his position outside the contiguous United States (OCONUS) at United States Army Garrison, Kwajalein Atoll (the losing agency) to a civilian position with the United States Department of the Navy (the gaining agency) in Hawaii, a non-foreign OCONUS location. Although the gaining agency did not offer or authorize PCS benefits for the position that it was filling, the losing agency issued travel orders providing claimant with PCS entitlements, including TQSE and MEA. After relocating to Hawaii, claimant was issued a debt collection letter for overpayment of unauthorized PCS entitlements in the amount of \$9454.03. We find that claimant's original orders authorizing TQSE and MEA, issued and funded by the losing agency, conflict with statute and regulation, and claimant was therefore not entitled to reimbursement of TQSE or MEA expenses incurred through his PCS.

Background

On March 26, 2022, claimant received notice of a PCS travel order, KA-PCS-22-14, between United States Army Garrison, Kwajalein Atoll, and United States Pacific Fleet (USPACFLT) Human Resources Office Hawaii, with a reporting date of May 8, 2022. The

travel order was signed and issued on April 14, 2022. The OCONUS losing agency issued the travel order authorizing, among other things, fixed, or lump sum (LS), TQSE for thirty days, relocation income tax allowance, and MEA. The gaining agency never authorized any PCS entitlements, and, as claimant acknowledges in his claim submission to the Board, he was aware of this fact when he accepted his new position.

Claimant tells us that, “[r]ather than register in the DoD’s Priority Placement Program as a non-displaced overseas returnee (an action that would have entitled [him] to TQSE), [he] chose to find [his] own job” with the Navy in Hawaii. Claim Submission (Apr. 30, 2025) at 1. He reports that, although “the gaining organization did not authorize PCS in the announcement for the position,” his “losing organization owed [him] return transportation” and, “[a]t the time, the [Joint Travel Regulations (JTR)] did not preclude the losing organization from funding TQSE,” with the relevant section saying “something to the effect that it was at the [authorizing official’s (AO’s)] discretion.” *Id.* Claimant represents that “[t]he AO [from the losing organization] who signed [his] orders found TQSE to be needed, as [he] was going to a duty station where [he] had never been before, and had no support system in place.” On March 29, 2022, claimant signed a transportation agreement agreeing to the terms of his transfer with respect to the PCS entitlements he would receive.

Claimant reported to his new duty station in Hawaii on May 5, 2022. On May 25, 2022, a Resource Manager for Installation Management Command (IMCOM) Pacific sent claimant an email notifying claimant that he was no longer authorized to receive TQSE entitlements. The Resource Manager informed claimant that his travel orders would be amended to reflect that change. Claimant never received this email as it was sent to his email associated with his old duty station and he lost access to that account on May 9, 2022. The travel orders were officially amended on June 28, 2022. Claimant was emailed the amended travel orders on July 1, 2022. Claimant responded on July 7, 2022, stating that he had already traveled, submitted his voucher, and been reimbursed for his TQSE expenses prior to the amended travel order removing TQSE authorization. On this same day, claimant’s travel voucher reflected that his TQSE expenses, MEA, and withholding tax allowance would be reimbursed after subtracting his Medicare costs, Federal Income Tax Withholding (FITW) payments, and Federal Insurance Contributions Act (FICA) payments from the total amount of his authorized travel expenses.

On September 24, 2024, the Defense Finance and Accounting Service (DFAS) Rome sent claimant a debt notification letter in the amount of \$9454.03. The DFAS letter attributed the debt to an overpayment to claimant of TQSE and MEA made pursuant to his 2022 travel orders, with adjustments made for taxes owed. On October 9, 2024, claimant submitted a hearing petition to contest the validity of the alleged debt. DFAS issued a decision on claimant’s debt hearing, affirming the existence of claimant’s debt and the Department of

Defense's (DoD) use of administrative wage garnishment of claimant's disposable pay, not to exceed fifteen percent, to recover the remaining debt.

Claimant submitted a claim to the Board to review the existence of his debt stemming from his 2022 travel orders. Pursuant to a scheduling order from the Board, DFAS, the agency representing the DOD, submitted its agency response on May 16, 2025. On July 17, 2025, claimant requested, and the Board granted, an extension for the claimant's response to the agency until July 25, 2025. The parties filed additional briefing, at the Board's request, in March 2026.

Discussion

The Board has no authority to address claimant's request for debt forgiveness or refunding of payments made to a debt. *Nathan F.*, CBCA 7768-RELO, 24-1 BCA ¶ 38,510, at 187,183 (citing *Evan F. Meltzer*, CBCA 1536-RELO, 09-2 BCA ¶ 34,272, at 169,317). The Board's "authority extends only to the determination of the validity of the underlying claims involving reimbursement of travel and relocation expenses." *Id.* (quoting *Holly W.*, CBCA 7030-RELO, 21-1 BCA ¶ 37,814, at 183,632 n.2). Thus, we address only claimant's entitlement to travel and relocation expenses below.

Federal agencies are statutorily required to pay the relocation expenses of federal employees transferring in the interest of the Government from one permanent duty station to another. 5 U.S.C. § 5724(a) (2018); *see* JTR 053701-B (May 2022) (Civilian employees who undergo "PCS travel in the Government's interest from one [permanent duty station (PDS)] to another without a break in service" are eligible to receive relocation expenses.). "The [travel] regulations in effect on the appointee's or civilian employee's appointment or transfer effective date apply for payment and reimbursement purposes." JTR 053711. Because claimant's transfer date to Hawaii was May 8, 2022, the regulations from May 2022 apply.

Typically, "[w]hen an employee transfers from one agency to another" in the interest of the Government, "the agency to which he [or she] transfers pays the expenses." 5 U.S.C. § 5724(e). Here, though, we are told that the job announcement for the position at the gaining agency did not authorize PCS allowances, indicating that the agency did not view a transfer to be in the interest of the Government. *See Earl G. Gongloff*, GSBGA 13860-RELO, 97-1 BCA ¶ 28,792, at 143,636-37. Claimant does not suggest that the gaining agency should be held responsible for payment to him of TQSE and MEA or challenge the gaining agency's decision not to offer PCS allowances when hiring him. His claim is limited to his belief that the losing agency was entitled to authorize these allowances—to be paid by the losing agency.

Because claimant had completed his required time in service at his OCONUS position in the Republic of the Marshall Islands, he was entitled to certain return travel allowances, to be paid by the losing agency, to his home of origin in the southwestern United States upon his separation from his OCONUS position. Those allowances could not include TQSE or MEA. *See* JTR 054809-B tbl. 5-99 (providing that, when the losing agency is funding return travel, TQSE and MEA are “Not Authorized” for an employee separating from an OCONUS position).

If “a civilian employee separates from a Service or Agency OCONUS and will be employed [by a different DoD component] at a location *other* than the place where the Government would usually return the civilian employee, the transportation costs are split between the losing activity and the gaining activity” if the gaining agency has authorized PCS allowances, JTR 054809-D (emphasis added), although those costs are not necessarily split evenly. In such situations, “[t]he losing activity OCONUS pays [the] civilian employee’s travel and transportation allowances to the authorized separation destination, limited to those payable to the actual residence, even if the employee is employed, without a break in service, by a different DoD Component after arrival at the authorized separation destination.” *Id.* 054809-D.1. “If the new PDS is *other* than at the authorized separation destination, thereby requiring *additional* travel, the gaining DoD Component pays [those additional] travel and transportation allowances” but only “if PCS allowances are authorized.” *Id.* 054809-D.2 (emphasis added). “If the gaining DoD Component authorizes PCS allowances and the civilian employee meets eligibility requirements, the gaining DoD Component is responsible for the mandatory and any discretionary allowances authorized,” including TQSE and MEA. *Id.*

TQSE is a discretionary entitlement provided to government employees that must be approved by the gaining agency to be conferred upon the claimant. *See Scott T. Downey*, CBCA 6777-RELO, 20-1 BCA ¶ 37,621, at 182,645; 5 U.S.C. §§ 5724(c), 5724a(c); JTR 054803, 054809-B tbl. 5-99. Pursuant to the statutes and regulations summarized above, only the gaining agency may discretionarily provide TQSE. 5 U.S.C. § 5724(e); JTR 054803. As for MEA, it is available only if the gaining agency has authorized PCS expense allowances. *Kirsten R. Cruz*, CBCA 5699-RELO, 17-1 BCA ¶ 36,805, at 179,386; *see* JTR 054803, 054809. Here, as claimant acknowledges, the gaining agency did not authorize PCS benefits, precluding him from charging the gaining agency for TQSE or MEA. As expressly set forth in the JTR, the losing OCONUS agency, in returning the employee from OCONUS to his new position with a different DoD component, cannot authorize TQSE or MEA when the gaining agency has not authorized such benefits. *See* JTR 054809-B tbl. 5-99.

“As a general rule, once travel is authorized, the employee’s right to reimbursement of travel costs vests as the travel is performed, and ‘valid travel orders cannot be revoked or

modified retroactively, after the travel is completed, to decrease rights that have already become fixed.” *Douglas W. Morris*, CBCA 5574-TRAV, 17-1 BCA ¶ 36,664, at 178,543 (quoting *Renee Cobb*, CBCA 5020-TRAV, 16-1 BCA ¶ 36,240, at 176,819). Employees are only precluded from pursuing their right to recover expenses authorized in their travel orders if “there was [a material] error on the face of the orders or the orders were clearly in conflict with a law, regulation, or agency instruction.” *Douglas W. Morris*, 17-1 BCA at 178,543 (citing *Jeffrey E. Koontz*, CBCA 3251-TRAV, 13 BCA ¶ 35,318, at 173,372); see *Per Diem Allowances—Temporary Duty at Antros Island, Bahamas*, B-201588, 1981 WL 24259 (Mar. 25, 1981) (“The rule is well established that provisions of travel orders which are in conflict with statutory law—or agency regulations and administrative instructions—are invalid and cannot create an otherwise unauthorized entitlement to travel allowances.”). That is the case here. The losing agency’s authorization of TQSE and MEA is clearly in conflict with the statutes and regulations that only grant the gaining agency the discretionary authority to provide such benefits. Because claimant’s travel order conflicts with the statute and regulations governing entitlement to relocation expenses, claimant is not entitled to TQSE or MEA reimbursement.

Decision

For the foregoing reasons, the claim is denied.

Patricia J. Sheridan

PATRICIA J. SHERIDAN
Board Judge