

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

February 1, 2001

GSBCA 15333-RELO

In the Matter of STANLEY M. SCHWARTZ

Stanley M. Schwartz, Denver, CO, Claimant.

Earl R. Ohman, Jr., General Counsel, Occupational Safety and Health Review Commission, appearing for Occupational Safety and Health Review Commission.

WILLIAMS, Board Judge.

On May 25, 2000, claimant, Stanley M. Schwartz, appealed the denial by the Occupational Safety and Health Review Commission of his claim for reimbursement of additional temporary quarters subsistence expenses (TQSE) in connection with his reassignment from Dallas, Texas, to Denver, Colorado. On January 30, 2001, the parties submitted a joint motion to dismiss this claim as settled. Based on the record before us, the agency has the authority to amend the original travel authorization and authorize the payment of thirty-five additional days of TQSE to reflect its definite intent which was inadvertently omitted from the original travel orders. Brian P. Byrnes, GSBCA 14195-TRAV et al., 98-1 BCA ¶ 29,535; Thomas A. McAfoose, GSBCA 15295-RELO, 00-2 BCA ¶ 31,009; William E. Day, GSBCA 14640-RELO; 99-2 BCA ¶ 30,421. (Agency can retroactively amend travel orders when facts clearly demonstrate that some provision previously determined and definitely intended has been omitted through error or inadvertence.)

Accordingly, this claim is dismissed.

MARY ELLEN COSTER WILLIAMS
Board Judge