

DOCUMENT RESUME

03803 - [E2914162]

[Reconsideration of Claim for Travel Expenses]. B-163857.
October 12, 1977. 1 pp.

Decision re: James S. Brunton; by Paul G. Dembling, Acting
Comptroller General.

Issue Area: Personnel Management and Compensation: Compensation
(305).

Contact: Office of the General Counsel: Civilian Personnel.
Budget Function: General Government: Central Personnel
Management (805).

A Federal employee requested reconsideration of a decision regarding his claim for additional travel expenses which held that the constructive per diem must be based upon lodging for 3 nights. In view of new evidence submitted, constructive per diem may be based on lodging for 4 nights. The prior decision was modified accordingly. (Author/SC)

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DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548

Ch. H. Lee

FILE: B-168857

DATE: October 12, 1977

MATTER OF: James S. Brunton - Reconsideration of
claim for travel expenses.

DIGEST: Employee requests reconsideration of prior decision that constructive per diem must be based upon lodging for 3 nights. In view of new evidence submitted, we concur that constructive per diem may be based upon lodging for 4 nights. Matter of James S. Brunton, B-168857, March 24, 1977, modified.

This action is in response to a request for reconsideration from Mr. James S. Brunton of our decision Matter of James S. Brunton, B-168857, March 24, 1977, concerning his claim for additional travel expenses.

The facts in this case are fully set forth in our prior decision and will not be repeated except where pertinent. In submitting his claim Mr. Brunton had claimed 3 nights lodging plus 1 night with relatives in determining his actual per diem but he had claimed lodging for 4 nights in determining the constructive cost of per diem. In our prior decision we held that absent an explanation from the employee we would accept the agency's determination that his constructive per diem be based on lodging for 3 nights. Mr. Brunton has requested reconsideration of that part of our decision on the basis that if he had traveled by common carrier he would not have been able to spend the fourth night with his relatives who live some 100 miles from his temporary duty station. The agency concurs with this explanation, and we hold, therefore, that Mr. Brunton's constructive per diem for 4-1/4 days may be based upon lodging costs for 4 nights, or \$31 per diem. It appears that Mr. Brunton's claim for actual per diem was for 4-1/2 days at \$27 per day, or \$121.50, but his reimbursement was limited to the amount of constructive per diem as first computed, \$114.75. Since we conclude that his constructive per diem should be computed at 4-1/4 days at \$31 per day, or \$131.75, Mr. Brunton is entitled to the full amount of his actual per diem, \$121.50, and may be reimbursed the difference between \$121.50 and \$114.75 or \$6.75. Our prior decision is hereby modified.

Acting

Paul S. Lavelle
Comptroller General
of the United States