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DECISION



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

So

FILE: B-189826

DATE: April 7, 1978

MATTER OF: Sharon R. Raemaeker - Travel Expenses

DIGEST: Claimant paid towing and storage charges on private automobile owned by deceased employee. At time of his death, employee was on temporary duty returning from training session. Claimant also drove automobile to employee's last duty station. Claim for towing and storage charges is denied since automobile is not "baggage" within meaning of Federal Travel Regulations, para. 3-2.7. Claim for mileage is denied since there is no authority to return deceased employee's privately owned automobile to his residence at his last official station.

By a letter dated August 3, 1977, Mr. H. Larry Jordan, an authorized certifying officer of the Department of Agriculture, requested our decision concerning two travel vouchers presented by Ms. Sharon R. Raemaeker, an employee of the Farmers Home Administration (FmHA). Ms. Raemaeker is claiming reimbursement for expenses which she incurred while returning the privately owned automobile of a deceased employee to his former duty station.

The record indicates that on November 19, 1976, Mr. Vernon J. Lang, a former FmHA employee, died while returning from an authorized training meeting in Helena, Montana. After his death, Mr. Lang's automobile was towed to Dahl's Wrecker and Welding Service, Great Falls, Montana, where it was placed in storage.

The agency subsequently asked Ms. Raemaeker to travel to Great Falls and return Mr. Lang's automobile from there to his duty station at Cut Bank, Montana. Ms. Raemaeker performed such travel on November 21, 1976. She then submitted a travel voucher claiming reimbursement of \$65 for charges paid to Dahl's Wrecker and Welding Service for towing and storage of Mr. Lang's car. In support of her claim, Ms. Raemaeker cites paragraph 3-2.7 of

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the Federal Travel Regulations (FTR) (FPMR 101-7, May 1973), which provides for the transportation of a deceased employee's baggage. The certifying officer, however, questions whether regulations governing the transportation of baggage are applicable to a claim for the towing and storage of a privately owned automobile. In addition, Ms. Raemaeker has submitted a voucher claiming payment of mileage in the amount of \$18.60 for the transportation of Mr. Lang's automobile from Great Falls to Cut Bank. Noting that in 52 Comp. Gen. 493 (1973), we disallowed the cost of returning a privately owned automobile to the home of an employee who died while on temporary duty, the certifying officer questions whether that decision is applicable in the case of an employee who died while returning from a training session.

Concerning Ms. Raemaeker's claim for reimbursement of the towing and storage expenses of Mr. Lang's automobile, FTR para. 3-2.7 provides that the allowable cost for transportation of personal baggage shall include the expenses prescribed in Part 1-5 of the FTR. Paragraph 1-5.1a of the FTR defines baggage to mean Government and personal property of the traveler necessary for the purposes of the official travel. In 52 Comp. Gen. 479 (1973) and 53 Comp. Gen. 159 (1973), we held that the concepts "baggage and household effects" are general terms, not lending themselves to precise definition. We held that in ordinary and usual usage, those terms refer to particular kinds of personal property associated with the home and person. We noted in those decisions that regulations implementing the various acts of Congress covering shipment of personal property for Government personnel have provided that certain items of property should be excluded. Thus, automobiles have traditionally been excluded from the term "household goods." See 44 Comp. Gen. 65 (1964). Since Part 1-4 of the FTR specifically governs reimbursement concerning privately owned conveyances such as automobiles, we conclude that automobiles are likewise excluded from the meaning of the term "baggage." Further, 5 U.S.C. 5727(a) (1970) provides:

"Except as specifically authorized by statute, an authorization in a statute or regulation to transport the effects of an employee or other

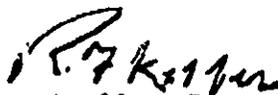
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individual at Government expense is not an authorization to transport an automobile."

Accordingly, there is no authority for reimbursing Ms. Raemaeker for payment of the towing and storage charges of Mr. Lang's automobile.

Regarding the second voucher submitted by Ms. Raemaeker claiming mileage for returning Mr. Lang's automobile to his duty station, we held in 52 Comp. Gen. 493, supra, that there is no authority for paying the expenses of returning a deceased employee's automobile to his home at his official station. The decision in that case turned upon the fact that the regulations implementing 5 U.S.C. 5742 contained no authority for reimbursement of the cost of returning a deceased employee's automobile and not specifically upon the circumstance that the employee died while on a temporary duty assignment. The basic authority of 5 U.S.C. 5742(b)(2) there considered authorizes payment of certain expenses, including preparation and transportation of the remains "if death occurred while the employee was in a travel status away from his official station in the United States." That authority is not limited to situations in which the employee, at the time of death, is assigned to what is generally considered to be temporary duty, but applies more broadly to situations in which the employee, at the time of death, is in a "travel status." As such, it extends to short-term training assignments under 5 U.S.C. 4101 et seq., where, as in the case of the decedent here involved, the expenses of travel authorized under 5 U.S.C. 4109 are of the type ordinarily prescribed in connection with temporary duty travel. Therefore, we regard our holding in 52 Comp. Gen. 493, supra, as applicable to Ms. Raemaeker's claim and find no authority by which she may be paid mileage in connection with return of the deceased employee's automobile to his official station.

Accordingly, the vouchers may not be certified for payment.


Acting Comptroller General
of the United States