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Just now*

**DECISION**



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

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FILE: B-192364

DATE: February 15, 1979

MATTER OF: Lawrence B. Perkins - Expenses Necessary to Obtain Reduced Travel Fare

- DIGEST:
1. Civilian employee completed temporary duty late Friday evening, but delayed departure until Sunday in order to qualify for reduced vacation air fare. The claim for 1 additional day's per diem may be allowed since there is an overall savings to the Government and employee acted in a prudent manner in scheduling his departure date. See Comp. Gen. decisions cited.
  2. Civilian employee delayed departure 1 day in order to qualify for reduced vacation air fare, and retained GSA rental car for that day. There is no authority to permit reimbursement for the cost of car rental for a period in which no official business is performed, but employee may be reimbursed for the constructive cost of allowable local transportation, not to exceed the cost of car rental for 1 day.

This action concerns the request of W. Smallets, Chief, Finance and Accounting, National Security Agency, for an advance decision concerning the claim of Mr. Lawrence B. Perkins, a civilian employee of the Department of Defense, for per diem and the cost of a rental car for 1 day, both of which were claimed as expenses necessary to obtain a reduced air fare for travel incident to a temporary duty assignment. The request was forwarded here by the Per Diem, Travel and Transportation Allowance Committee.

Mr. Perkins was permanently stationed in Sunnyvale, California, and assigned to temporary duty at Fort Meade, Maryland, for the period March 5-10, 1978. The agency report states that he completed his temporary duty late Friday evening, March 10, and normally would have been entitled to be paid per diem and travel costs incident to return to his permanent duty station on Saturday. Instead of returning on Saturday, however, Mr. Perkins delayed his departure until Sunday, March 12, in order to qualify for the vacation air fare. Normal fare would have been \$424; vacation fare was \$339--a savings of \$85.

Because of his delayed departure, Mr. Perkins submitted a supplemental claim of \$35 for 1 day's per diem and \$17 for the

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cost of a rental car for 1 day. Mr. Perkins' travel orders had authorized the use of a General Services Administration rental car for official business, and the car was retained the extra day, apparently for the performance of travel from the employee's motel to the airport on the day of departure.

We have previously held that an employee may be reimbursed for additional per diem costs incurred in order to qualify for reduced rate excursion fares, provided there is an overall savings to the Government, and the employee acts in a prudent manner. B-169024, May 5, 1970, and B-167567, August 18, 1969. The regulations noted by the agency, Volume 2, Joint Travel Regulations (2 JTR), para. C4465-2b (Change 152, June 1, 1968), which changed para. C4465-2 (Change 149, March 1, 1978), is not for application in such cases since, by its terms it applies only to computation of per diem where delays in travel were for the sole purpose of permitting completion of travel during regular duty hours. Accordingly, since Mr. Perkins appears to have acted in a prudent manner in scheduling his departure date, and there is an overall savings to the Government, he may be reimbursed for the additional per diem costs.

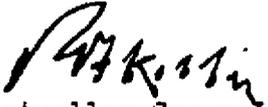
With respect to the claim of \$17 for the cost of a rental car for 1 day, we note that the applicable regulations limit the use of a Government-owned or Government-furnished car to official purposes only. Federal Travel Regulations (FTR) (FPMR 101-7, May 1973) para. 1-2.6a and 2 JTR para. C2101-2a (Change 142, August 1, 1977). We also note that the cost of the car was not included as an integral part of the travel package obtained with the purchase of an excursion fare ticket, and that, if reimbursed, it would represent an additional expense to the Government. Compare, 54 Comp. Gen. 268 (1974) and B-156536, May 6, 1965. Accordingly, there is no authority to permit reimbursement for the cost of car rental for a period in which no official business was performed.

Mr. Perkins would, however, be entitled to reimbursement for the constructive cost of certain local transportation, not to exceed the cost of car rental for 1 day. Reimbursable local transportation expenses would include, as applicable, the constructive cost of return transportation to his lodgings if required to return the rental car on Saturday; the constructive cost of transportation to a place where suitable meals could be obtained if not available at his place of lodgings; and the constructive cost of transportation from his lodgings to the

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airport on the day of departure. FTR para. 1-2.3b and 3c and B-190698, April 6, 1978.

The agency submission also inquires as to the effect of Volume 2, JTR para. C1102-4 (Change 133, November 1, 1976), on the advancement of funds to purchase special lower air fares in situations where transportation requests are not available or their use is impractical. The question posed is hypothetical since a transportation request was used in this case, but the report indicates that the question has arisen in other cases. We are not answering this inquiry since we believe such questions can best be answered on the basis of more specific factual information and after proper administrative comment.

  
Deputy Comptroller General  
of the United States