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DECISION



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

FILE: B-203857

DATE: December 15, 1981

MATTER OF: Ricky E. Virgne - Actual Subsistence
Expenses - Laundry Expenses

DIGEST: Employee was authorized actual subsistence expenses for temporary duty assignment in Washington, D.C., from September 1980, until January 1981. Employee claims laundry and dry cleaning expenses ranging from \$7.25 to \$10.30 for each working day of the assignment. Employees are required by Federal Travel Regulations paragraph 1-1.3a to act prudently in incurring expenses while traveling on official business. Employee is entitled to only reasonable amounts for laundry expenses. Agency must make initial determination as to what is a reasonable amount. This Office will not disturb agency determination unless clearly erroneous or arbitrary or capricious.

Lieutenant Commander C. M. Lampman, Accounting and Finance Officer, Defense Logistics Agency, requests an advance decision as to what constitutes a reasonable amount that an employee may be reimbursed for laundry and dry cleaning expenses under the actual subsistence expenses method. The request was forwarded here by the Per Diem, Travel and Transportation Allowance Committee, and has been assigned PDTATAC Control No. 81-17.

Mr. Ricky E. Virgne (an auditor) stationed in Austin, Texas, was assigned to Washington, D.C., to assist in the 1982 fiscal year budget review. The temporary duty assignment began on September 25, 1980, and continued until January 1981. Mr. Virgne was authorized actual subsistence expenses, not to exceed \$50 per day. That amount was increased to \$75 per day, effective October 5, 1980, by Appendix E to Volume 2 of the Joint Travel Regulations. In support of his claims for actual subsistence expenses, Mr. Virgne submitted an itemization for each day's claimed expenses. The only item questioned by the agency is Mr. Virgne's claim for laundry expenses, which ranged

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from \$7.25 to \$10.30 for each working day of the assignment. The agency found that amount clearly unreasonable, and requested Mr. Virgne to provide some justification for the claimed amounts.

The employee provided a brief statement that noted that he worked long hours 6 or 7 days each week while on this assignment. The employee states that this made it necessary to have two to three suits dry cleaned each week at a total cost of approximately \$20. He argues that his normal laundry needs would increase that amount substantially.)

An employee is entitled to reimbursement for only reasonable expenses incurred incident to a temporary duty assignment since travelers are required by paragraph 1-1.3a of the Federal Travel Regulations (FPMR 101-7, May 1973), to act prudently in incurring expenses. That paragraph provides:

"An employee traveling on official business is expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business."

Also, see paragraph C4464-1 of 2 Joint Travel Regulations to the same effect.

In applying this requirement to claims for reimbursement of various types of travel expenses, this Office has consistently held that it is the responsibility of the employing agency to make the initial determination as to the reasonableness of the claimed expenses.) See, for example, Micheline Motter and Linn Huskey, B-197621, B-197622, February 26, 1981. Where the employing agency has made the initial reasonableness determination, this Office will overturn the agency's determination only where our review of the evidence results in a finding that the agency's determination was clearly erroneous, or arbitrary or capricious.) Robert A. Jacobsen, B-198775, April 16, 1981. The burden is on the employee to prove that the agency's determination is defective.) See 4 C.F.R. § 31.7 (1981).

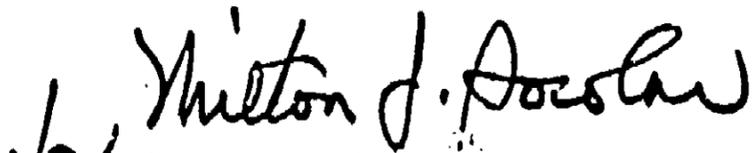
In cases where the agency has not made a determination concerning reasonableness, this Office normally returns

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the claim to the agency for it to make the initial determination. Jacobsen, cited above, and Norma J. Kephart, B-186078, October 12, 1976.

In this case, while the agency has determined that the claimed amounts are unreasonable, it has not made any determination concerning what amount it considers reasonable. For this reason, we are returning the case to the agency for a determination as to what constitutes reasonable laundry expenses. The determination should be made on the basis of the facts of this case with guidance from the experiences of other agency employees who performed temporary duty assignments in the Washington, D.C., area during the same approximate time as Mr. Virgne. Of course, consideration should be given to any unusual circumstances presented by Mr. Virgne, such as his statement that he was required to work long hours during the assignment.

Mr. Virgne's vouchers and supporting papers are returned for handling in accordance with the above.

for 
Comptroller General
of the United States