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DECISION



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

21477

FILE: B-204127

DATE: April 12, 1982

MATTER OF: Herman H. Janzen

DIGEST: Employee in Seattle, Washington, who was assigned to temporary duty in Atlanta, Georgia, departed early and traveled by way of Minneapolis and Aitken, Minnesota. He qualified for a supersaver fare by departing early and, within the constructive cost of full fare travel, he claims costs of travel between Minneapolis and Aitken. Although reasonable and necessary costs incurred as a result of early departure may be paid, not to exceed the savings attributable to such early departure, the employee's presentation of a lump-sum receipt from his relative does not demonstrate that he in fact incurred reasonable and necessary costs which may be reimbursed by the Government.

This decision responds to a request from an authorized certifying officer with the Department of Health and Human Services concerning the reclaim voucher submitted by Mr. Herman H. Janzen for certain travel expenses incurred in connection with temporary duty travel. The issue presented is whether Mr. Janzen may be reimbursed the \$100 amount paid to his brother for round trip transportation between Minneapolis and Aitken, Minnesota, when he traveled to a temporary duty assignment in Atlanta, Georgia. We hold Mr. Janzen may not be reimbursed the amount in issue.

Mr. Janzen, an employee of the Department of Health and Human Services whose duty station is Seattle, Washington, was authorized temporary duty travel to Atlanta, Georgia, to attend a training course which began on Monday, November 3, 1980. He departed his duty station at 8 a.m. on Friday, October 31, 1981, arriving in Minneapolis, Minnesota, at 1:30 p.m. en route to his interim destination Aiken, Minnesota. The following morning he traveled with his brother by automobile to Aitken in lieu of travel by air to that point. They returned to Minneapolis by automobile Sunday, November 2, in time for Mr. Janzen to leave at 6:30 p.m. for Atlanta.

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The round-trip distance between Minneapolis and Aitken is approximately 250 miles.

If Mr. Janzen had not departed early but had traveled directly from Seattle to Atlanta on Sunday, November 2, the cost to the Government would have been \$697. By departing early he qualified for a supersaver ticket at a cost of \$492 which enabled him to stop over in Minneapolis.

Mr. Janzen originally claimed added costs of \$190 for room, board and automobile travel predicated on handwritten receipts signed by Jerry E. Janzen and Henry G. Janzen. This claim was disallowed by his agency on the basis of 53 Comp. Gen. 556 (1974). Mr. Janzen has reclaimed \$100 of that amount which he asserts is the amount he paid Jerry E. Janzen for driving him between Minneapolis and Aitken.

The controlling statutory provisions regarding reimbursement for travel and subsistence expenses of civilian employees are contained in sections 5701-5709 of title 5, United States Code (1976). Regulations implementing these provisions are issued by the General Services Administration and are found at Chapter 1, Travel Allowances, of the Federal Travel Regulations (FPMR 101-7).

Generally when an employee departs early for a temporary duty station and qualifies for a lower air fare by doing so, he may be paid the costs he incurs by virtue of such early departure, not to exceed his savings in air fares. See FTR para. 1-2.5b and Matter of Gentile, B-188689, February 7, 1978. Within that constructive cost limitation, Mr. Janzen would be entitled to reimbursement for expenses incurred because of his early departure.

The two receipts furnished are not from commercial sources but from relatives. They are for lump-sum amounts for board, lodging and transportation without any specific allocation of costs. The claimant has abandoned his claim for board and lodgings but asserts that \$100 of the amount paid to Jerry E. Janzen was for transportation from Minneapolis to Aitken and return.

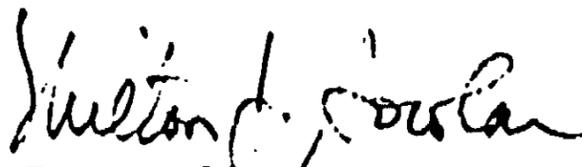
While an employee may be reimbursed costs necessarily incurred in the circumstances here in question, we find no

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basis for allowing the employee to pass the savings in transportation costs to his relatives simply because they provided transportation and accommodations to him during a visit.

On the basis of the information presented in this case, we find no evidence that the claimant incurred any reasonable or necessary costs in connection with his early departure as a result of his visit with his family. Accordingly, the voucher presented may not be certified for payment.

We note, however, that an employee who travels as a passenger with someone who is not traveling on official business may be reimbursed for the amounts paid to the driver for gasoline, oil, tolls, parking, etc. B-150486, February 1, 1963. If the claimant presents evidence that he paid such expenses in connection with his travel between Minneapolis and Aitken they may be paid to the extent they do not exceed common carrier cost of the travel involved or the savings resulting from early departure.

for 
Comptroller General
of the United States