

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

27284

FILE: B-213339**DATE:** January 1984**MATTER OF:** Ellward H. Gegenheimer**DIGEST:**

An employee on a temporary duty assignment to Washington, D.C., a high-cost geographical area where actual subsistence reimbursement rather than travel per diem is paid, claimed laundry and dry cleaning expenses of \$28. His agency allowed reimbursement of \$11 on the basis that an employee is not entitled to cleaning expenses incurred near the conclusion of an assignment so as to return home with clean clothes. The Comptroller General will not disturb the agency's determination since in this case it is not clearly erroneous, arbitrary, or capricious.

Mr. Ellward H. Gegenheimer by letter of July 14, 1983, has appealed our Claims Group's denial of his claim for additional subsistence expenses. We affirm the Claims Group's finding that there is no basis to disturb the determination of Mr. Gegenheimer's agency regarding a reasonable reimbursement for laundry and dry cleaning expenses claimed in connection with a temporary duty assignment.

Mr. Gegenheimer, an Inspector with the United States Marshals Service, Department of Justice, whose duty station is New Orleans, Louisiana, was assigned to temporary duty in Washington, D.C., from June 7 to June 18, 1982. Since Washington is a high cost geographical area, reimbursement for subsistence expenses was on an actual expense basis and not at a flat travel per diem rate. At the conclusion of the assignment Mr. Gegenheimer submitted claims for laundry and dry cleaning costs totaling \$28. The Marshals Service determined that \$11 was a reasonable amount and disallowed \$17 of the laundry and dry cleaning costs incurred by Mr. Gegenheimer. His appeal from that determination was denied by our Claims Group's Settlement Certificate No. Z-2844266 issued June 23, 1983.

007671

B-213339

In his appeal Mr. Gegenheimer contends that the \$28 amount claimed was not unreasonable for a 12-day trip. He cites U.S. Marshals Service regulations governing appearance, laundry expenses, and clothing requirements on trips exceeding 5 days to justify his expenses. He states that the claimed expenses were reasonable and prudent within the meaning of paragraph 1-1.3a of the Federal Travel Regulations (FTR) (FPMR 101-7, September 1981).

An employee is entitled to reimbursement for only reasonable expenses incurred incident to a temporary duty assignment. As Mr. Gegenheimer noted, FTR para. 1-1.3a requires that travelers act prudently in incurring expenses. That paragraph provides as follows:

"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."

In applying this requirement to claims for reimbursement of various types of travel expenses, we have 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, Matter of Motter and Huskey, B-197621, B-197622, February 26, 1981. Where the employing agency has made the initial determination of reasonableness, we 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. Matter of Steinke, 62 Comp. Gen. 168 (1983); and Matter of 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).

B-213339

In this case the Marshals Service has determined that the \$28 amount claimed by Mr. Gegenheimer for laundry and dry cleaning was unreasonable and has reduced that amount by \$17, allowing \$11 as a reasonable amount.

Mr. Gegenheimer contends that this determination is erroneous under USM Order 2200.1 establishing Travel Policy and Procedures within the Marshals Service. Specifically he refers to section 13g of that Order which states:

"g. Dry Cleaning and Laundry. Personnel are expected to carry sufficient clothing for trips of five days or less. Claims for reimbursement for dry cleaning and laundry services on trips of five calendar days or less will not be allowed unless justified by reason of unusual or uncontrollable circumstances. Reasonable claims for dry cleaning and laundry when traveling in excess of five calendar days will be approved. Receipts must be submitted for laundry services. * * *

It appears to be Mr. Gegenheimer's view that under this regulation clothes "clean upon arrival [should] be returned in that condition."

In a letter to our Claims Group dated May 19, 1983, the Marshals Service stated that Mr. Gegenheimer's claim for laundry and dry cleaning expenses was reduced in accordance with USM Order 2200.1. The Marshals Service stated laundry and dry cleaning expenses for employees on temporary duty assignments exceeding 5 days are approved only to the extent

B-213339

necessary to complete the assignment. An employee is generally not reimbursed for clothes cleaned immediately prior to return to his permanent duty station.

We have examined the receipts for Mr. Gegenheimer's cleaning and laundry expenses and determined that \$17 was incurred in the last 4 days of the 12-day temporary duty assignment. In light of its regulation generally precluding reimbursement for laundry and dry cleaning expenses for shorter assignments, the Marshals Service reasonably limited laundry and dry cleaning expenses for longer trips to those necessary to complete the temporary duty assignment. In the final analysis, this accords similar treatment to employees regardless of the length of their assignments. Accordingly, since Mr. Gegenheimer has not met the burden of proving the agency's determination to be erroneous or arbitrary or capricious, the action of Claims Group sustaining the agency's determination is affirmed.

for Milton J. Fowler
Comptroller General
of the United States