

DECISION

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

FILE: B-215796

DATE: December 26, 1984

MATTER OF: Winifred B. Sidle - Transportation
Purchased Through Travel Agent

DIGEST:

An employee who pays for travel on official business with more than \$100 of personal cash, contrary to paragraph 1-10.2b of the Federal Travel Regulations may be reimbursed when receipt or other evidence of purchase is provided. Moreover, she may be reimbursed cost of two airline tickets purchased from a travel agent since employee, a new appointee, did not know of the restriction on the use of travel agents for purchasing transportation. Further, in view of the circumstances of this case we would not object to approval of a cash payment, if necessary, so that reimbursement would not be limited by a special government fare.

Mr. F. J. Brock, Jr., authorized certifying officer, Forest Service, Department of Agriculture, has requested our review of the claim of Winifred B. Sidle for purchase of transportation from a travel agent with personal funds.

Ms. Sidle, a Forest Service employee, paid cash at two separate times, both times in amounts in excess of \$100, for airline tickets purchased from travel agents. The first time Ms. Sidle purchased a ticket from Moscow, Idaho, to Ketchikan, Alaska, to participate in a biologist workshop from February 28 to March 1, 1984. Ms. Sidle was apparently on an intermittent appointment at the time of the conference. However, at the time she made the airline reservations she was not a Forest Service employee and she did not believe she was entitled to use the services of the travel agent under contract with the Forest Service. Moreover, Ms. Sidle was living in Moscow at the time the flight was arranged and she did not think it feasible to make arrangements through the contract travel agency in Juneau.

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Subsequently, Ms. Sidle received an appointment as a wildlife biologist in Juneau, Alaska, and she purchased transportation from Seattle, Washington, to Juneau, Alaska, and traveled on May 20, 1984. This travel reservation was also booked by a travel agent who was not a General Services Administration (GSA) contract agent and was paid for in cash. Ms. Sidle's agency recommends reimbursement of her transportation costs because she was a new appointee and was unaware of the restriction on the use of travel agents at the time.

We have recently held that an employee who pays for travel on official business with more than \$100 of personal cash contrary to paragraph 1-10.2b of the Federal Travel Regulations FPMR 101-7 (September 1981) (FTR), may be reimbursed if he provides a receipt or other evidence of purchase. Joel L. Morrison, B-215680, September 18, 1984, 63 Comp. Gen. _____. We also stated that employees who violate the prohibition against the use of travel agents found in 4 C.F.R. § 52.3 (1984),^{1/} may be reimbursed for the amount that the Government would have been required to pay had the transportation services been purchased directly from the carrier. Morrison, above; Ernest Michael Ward, 60 Comp. Gen. 445 (1981); Seymour Epstein, B-213340, February 23, 1984.

We also held in Morrison and the FTR now clearly states^{2/} that the employee should be advised that he will be denied reimbursement if he again uses a travel agent, unless he can demonstrate that he had no other alternative.

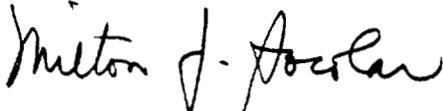
The record does not show that Ms. Sidle was ever advised not to use a travel agent for her travel to Juneau. In view of this and the other facts in this case we find that Ms. Sidle may be reimbursed the costs of transportation purchased through a travel agent.

^{1/} This general prohibition against the use of travel agents has been repealed effective May 25, 1984; 49 Fed. Reg. 17721 (April 25, 1984).

^{2/} GSA Bulletin FPMR A-40, Supp. 9, 49 Fed. Reg. 20372, May 14, 1984, paragraph 1-3.4b(2)(b).

However, as previously stated we have held that where an employee has failed to observe the requirements of paragraph 1-10.2 of the FTR requiring the purchase of airline tickets with a Government Transportation Request, reimbursement is limited to the cost of the transportation as if it had been purchased directly from the carrier. Morrison, above. The record does not indicate how much Ms. Sidle's travel would have cost if purchased directly. However, an agency may approve purchase of transportation tickets with cash instead of a Government Transportation Request under emergency circumstances where the use of a Government Transportation Request is not possible. See Marsha Weiss, B-215024, November 13, 1984. Also FPMR Temp. Reg. G-47, April 20, 1983, revising 41 C.F.R. § 101-41.203-2, 41 C.F.R. Chapter 101, subchapter G, Appendix. If approval of the cash payment under that section is obtained reimbursement would not be limited by a special government fare. In view of the circumstances of this case we would not object to approval of the cash payment on this basis, if necessary.

The vouchers with attachments are returned so payment may be made in accordance with this decision.

for 
Comptroller General
of the United States