



The Comptroller General  
of the United States

Washington, D.C. 20548

# Decision

Matter of: John W. Eastham - Reimbursement of Cost of  
Airline Ticket Purchased From Travel Agent  
File: B-219489  
Date: September 8, 1986

## DIGEST

Employee, authorized official travel from San Francisco to Honolulu in December 1982, purchased an airline ticket, with cash, from a travel agent. The employee may be reimbursed the amount he paid for the ticket since the record shows that the cost was less than the regular fare; that he was not aware of the general prohibition against use of travel agents; that he did not intend to circumvent the regulations; and that precautionary actions he took prior to purchasing ticket from a travel agent were reasonable and prudent under the circumstances.

## DECISION

This decision is in response to an appeal by Mr. Larry Schaat, Regional Fiscal Management Officer, Internal Revenue Service (IRS), Department of the Treasury, and Mr. John W. Eastham, an employee of IRS, of our Claims Group settlement which denied Mr. Eastham's claim for reimbursement of the cost of an airline ticket which he purchased with cash from a travel agency to perform official travel. For the reasons stated below, we hold that the settlement by the Claims Group is overruled and that the claimed expense may be reimbursed.

## BACKGROUND

Mr. Eastham is employed by IRS in the San Francisco, California regional office. In October 1982, he was directed to perform official travel to Honolulu, Hawaii, in December 1982. The agency reports that although Mr. Eastham had traveled on official business in the continental United States, he had never traveled outside the continental United States for the Government. Mr. Eastham contacted the General

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Services Administration travel desk and was informed that, at that time, there was no contract airline available for travel to Honolulu. The IRS reports that Mr. Eastham consulted the Internal Revenue Manual (IRM) Travel Handbook and concluded that it was permissible for him to purchase an airline ticket to Honolulu with cash from a travel agent. Mr. Eastham then purchased a package tour to Honolulu for himself and his wife with cash since the travel agency did not accept Government Transportation Requests. The roundtrip air fare for Mr. Eastham was \$411.06, while the standard commercial airline fare available to Government travelers at that time was \$414.20.

Our Claims Group denied Mr. Eastham's claim for reimbursement on the basis that he was a frequent traveler and should have been aware of the general prohibition against the use of travel agents. The IRS has recommended reimbursement, and we concur.

#### DISCUSSION

Subchapter I of chapter 57 of title 5, United States Code, 1982 (5 U.S.C. § 5701-5709), provides the comprehensive statutory authority for reimbursement of expenses incurred in connection with official travel by Federal employees. Implementing regulations issued by the Administrator of General Services, GSA, are found in the Federal Travel Regulations, FPMR 101-7 (September 1981) (FTR), incorp. by ref., 41 C.F.R. § 101-7.003 (1982), and in 41 C.F.R. § 101-41.203.2 (1982). Under FTR para. 1-10.2b, Federal employees are generally prohibited from spending more than \$100 in personal cash for transportation services for travel on official business. However, an employee who is able to prove a cash expenditure for transportation services in excess of \$100, by receipt or other documentation, may be reimbursed. Joel L. Morrison, 63 Comp. Gen. 592 (1984). Since Mr. Eastham has furnished such proof to IRS, reimbursement to him for the purchase of his airline ticket would be proper.

However, the further problem is the use of a travel agent by Mr. Eastham in purchasing his airline ticket with personal cash. Implementing regulations which prohibited the use of travel agencies by Federal employees were issued by the Comptroller General of the United States in section 52.3, Part 52, title 4, Code of Federal Regulations, and were in

effect at the time Mr. Eastham traveled in 1982.<sup>1/</sup> However, this Office has held that a Government employee, unaware of the general prohibition against the use of travel agents, may be paid for travel costs which would have been properly chargeable had the requested service been obtained by the traveler directly from the carrier. Department of the Interior, 59 Comp. Gen. 433 (1980). Also, under the circumstances involved in the claim, the use of the travel agent must have been reasonable. Ernest Michael Ward, 60 Comp. Gen. 445 (1981).

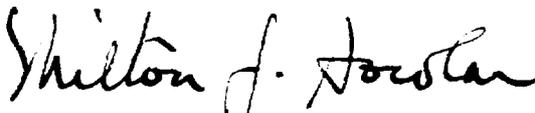
The record shows that Mr. Eastham contacted the GSA travel desk and was informed that there was no contract airline company providing air travel from San Francisco to Honolulu. Further, Mr. Eastham consulted the IRM Travel Handbook which states that, although ordinarily passenger transportation services should be procured directly from the carrier, travel agencies may be utilized " \* \* \* for travel within or between the United States and its possessions, Canada, Mexico, or from the United States or its possessions to foreign countries when group or charter arrangements may be utilized which will result in a savings to the Government." This language could be interpreted to mean that travel agencies may be used for travel between San Francisco and Honolulu when a package tour is purchased by the employee. Also, Mr. Eastham stated in his request for a travel advance that the funds were for air fare and were needed to pay the travel agency. His request was approved by IRS. Thus, we find no intent on the part of Mr. Eastham to circumvent the regulations in using a travel agent to purchase his airline ticket.

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<sup>1/</sup> The prohibition against the use of travel agencies contained in section 52.3 was later removed. 49 Fed. Reg. 17,721 (1984). GSA issued a temporary regulation, effective on its publication date, 49 Fed. Reg. 22,085 (1984), which noted the removal of restrictions on the use of travel agents by Federal agencies. The regulation further provided that the services of a travel agent may not be used except through a travel management center (a commercial travel office operated by a travel agent) under contract to GSA, or a delegation of authority obtained from GSA, where warranted. See Barry Meehen, B-216189, December 5, 1984.

Finally, were the actions taken by Mr. Eastham in purchasing his airline ticket through a travel agent, and not directly from an airline company, reasonable? Recognizing the precautionary courses of action taken by Mr. Eastham prior to purchasing his airline ticket through a travel agent, as well as the fact that the roundtrip air fare which he paid, \$411.06, as contrasted with the standard commercial airline fare, \$414.20, available to Government travelers at the time the travel was performed, was more economical to the Government, we regard his actions as being reasonable and prudent under the existing circumstances.

Therefore, Mr. Eastham is entitled to reimbursement of the amount he paid the travel agent for the airline ticket to and from Honolulu.

*for*   
Comptroller General  
of the United States