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Comptroller General  
of the United States  
Washington, D.C. 20548

## Decision

**Matter of:** Alexander Baumgarten, M.D.  
**File:** B-252599  
**Date:** August 5, 1993

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### DIGEST

A special government employee, who had arranged to take a vacation trip and had already incurred air travel expenses, may not be reimbursed for additional personal expenses incurred when his official duties caused him to delay his travel and make alternate flight reservations. John W. Keys, III, 60 Comp. Gen. 629 (1981), and decisions cited.

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### DECISION

This decision is in response to a request from the Chief, Accounting Branch, Food and Drug Administration (FDA) Department of Health and Human Services.<sup>1</sup> It concerns the entitlement of Alexander Baumgarten, M.D., to be reimbursed additional expenses incurred by him incident to a travel itinerary change in February 1992. We conclude that he may not be reimbursed for the following reasons.

Dr. Baumgarten, a professor of Laboratory Medicine at the Yale-New Haven Hospital, New Haven, Connecticut, was also a special government employee performing intermittent service as a panel member at the FDA's Center for Devices and Radiological Health. In February 1992 he was requested to attend the Center's General and Plastic Surgery Devices Panel Meeting on breast implants on February 18-20, 1992.

Prior to that request, Dr. Baumgarten had arranged a vacation trip to Australia which coincided with the meeting and had already booked and paid for his airfare. Because of the importance of the meeting, he was persuaded to rearrange his travel plans and attend. As a result, his rescheduled flight cost him an additional \$155, for which he now seeks reimbursement.

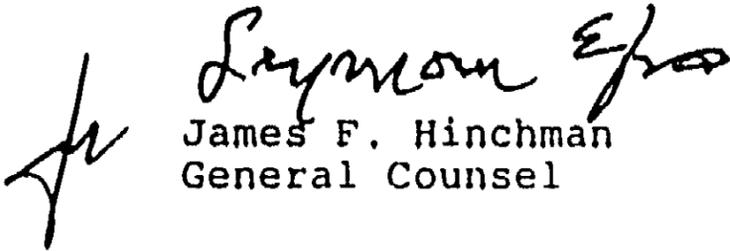
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<sup>1</sup>Mr. Dave Petak.

We are not aware of any statute or regulation which would provide a basis to reimburse Dr. Baumgarten for the expense claimed. Section 301-1.2 of the Federal Travel Regulation (FTR)<sup>2</sup> provides that payment of travel and transportation expenses may be allowed for travel by individuals performing official business for the government away from their homes or regular places of business. Section 301-1.3(b) of the FTR,<sup>3</sup> limits reimbursement "to those expenses essential to the transaction of official business."

We have consistently held that where the need to perform official duties causes delay or cancellation of personal travel plans and results in increased personal travel expenses to the employee, there is no legal basis to reimburse those additional costs. John W. Keys, III, 60 Comp. Gen. 629 (1981), and decisions cited.

Accordingly, Dr. Baumgarten may not be reimbursed the additional cost of his airfare.

  
James F. Hinchman  
General Counsel

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<sup>2</sup>41 C.F.R. § 301-1.2 (1992).

<sup>3</sup>41 C.F.R. § 301-1.3(b) (1992).