



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Shirl Thomas

File: B-256473

Date: May 23, 1994

DIGEST

Employee on official travel exchanged government-furnished airline ticket for nonrefundable ticket for personal reasons, but was unable to use return portion of ticket due to exigencies of business. Employee is not entitled to reimbursement for full cost of return ticket she purchased in lieu of nonrefundable ticket, but she may be reimbursed for her actual expenses not to exceed the constructive cost of travel to the government.

DECISION

This decision is in response to a request from the U.S. Department of Housing and Urban Development (HUD), Washington, D.C., for an advance decision on the propriety of reimbursing an employee for the cost of a ticket she purchased for return travel from Houston, Texas, to Washington, D.C.¹ For the reasons that follow, the employee may be reimbursed on a constructive cost basis.

Ms. Shirl Thomas was authorized temporary duty round-trip travel from her duty station in Washington, D.C., to Houston, Texas, at a cost to the government of \$403. In accordance with a Memorandum of Understanding between HUD and a government-authorized travel agent, Ms. Thomas exchanged her airline ticket for a nonrefundable reduced fare of \$331 so that she could stop off in San Antonio, Texas, for personal reasons. The government received a credit in the amount of \$72 for the difference in price between the government fare and the nonrefundable fare.

¹The request was sent in by William H. Eargle, Jr., Administration Comptroller-Director, Office of Finance and Accounting.

Unfortunately, Ms. Thomas experienced a business delay beyond her control and was unable to use the return portion of the ticket. She then changed her reservation and used her government-issued credit card to purchase a return ticket from Houston to Washington at a cost of \$292.² A contract air carrier was used and a discount fare obtained in accordance with the Federal Travel Regulation (FTR), 41 C.F.R. § 301-2.2(d)(1)(ii)(A) (1993).

The travel agent was unable to obtain a refund for Ms. Thomas of the unused portion of her return ticket to Washington since it was a nonrefundable reduced fare. Ms. Thomas has requested reimbursement of the \$292 replacement ticket that she purchased.

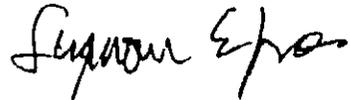
When a traveler, for personal convenience, travels by other than a direct route or uses a different method of transportation than the one administratively authorized as most advantageous to the government, he or she must pay any additional cost resulting therefrom. However, in such a case, an employee is entitled to reimbursement on a constructive cost basis, limited to the charges that would have been incurred over the usually traveled route. FTR, 41 C.F.R. §§ 301-2.2(c), and 301-2.5(b) (1993). See, David R. Komar, et al., B-252352, June 22, 1993; Michael Balen, B-248868, Sept. 2, 1992.

Although it was necessary for Ms. Thomas to change her return flight plans due to official business and through no fault of her own, Ms. Thomas is not entitled to reimbursement for the entire \$292 that she expended for the return ticket since she had purchased a nonrefundable roundtrip ticket for her own convenience. However, Ms. Thomas should be reimbursed on a constructive cost basis.

Apparently, the government would also have had to pay the \$292 contract fare for the delayed return trip, but would have received a credit of \$201.50 for the unused portion of its original roundtrip ticket. Ms. Thomas, therefore, should be given credit for the difference of \$90.50, plus credit for the \$72 refunded to the government because of the special reduced fare of \$331 she obtained (\$403 less \$331).

²Use of a government contract issued charge card for procurement of transportation exceeding \$100 is authorized by the Federal Travel Regulation, 41 C.F.R. § 301-10.2(b)(2)(ii) (1993).

Accordingly, Ms. Thomas may be reimbursed for her actual expenses on a constructive cost basis in the amount of \$162.50 as outlined above. See, Ronald Metevier, 66 Comp. Gen. 449 (1987).



Robert P. Murphy
Acting General Counsel