

DIGEST - L - CP



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

H-177267

JAN 3 1973

Captain Gerald A. Reesor, USAF
Accounting and Finance Officer
Through Assistant Comptroller for
Accounting and Finance (HQ USAF)
3800 York Street
Denver, Colorado 80205

Dear Captain Reesor:

Further reference is made to your letter of September 5, 1972, reference 1840 ACY (Capt Reesor/3107), requesting a decision concerning the propriety of paying a supplemental travel voucher for additional per diem in lieu of subsistence in favor of
an employee of your agency.

By travel authorization dated April 25, 1972, _____ was ordered to proceed on or about May 15, 1972, from Richards-Gabaur Air Force Base, Missouri, to Keesler Air Force Base, Mississippi, in order to attend a course starting on May 17, 1972. The orders required _____ to report between 0800 and 1600 hours on May 16, 1972. Travel was performed by Government Transportation Request. _____ left his residence at 0815 hours on May 15, 1972, and arrived at Keesler Air Force Base at 1445 hours that afternoon. His travel voucher was paid on the basis of constructive travel commencing approximately at the same hour on May 16, 1972. _____ claims 1 day per diem on the grounds that (1) the finance officer has no authority to utilize a constructive travel schedule when an employee travels via a Government Transportation Request and (2) he attempted to obtain transportation on May 16, 1972, but was informed by the transportation officer that he would have to depart on May 15, 1972, in order to arrive at his temporary duty point by 1600 hours on May 16, 1972. You request our decision as to whether paragraph C6000, Volume 2, Joint Travel Regulations (JTR), authorizes a finance officer to make a constructive air travel schedule for civilian employees traveling via Government Transportation Request for use in computing per diem and charging the employee with the appropriate type of leave for excess travel time. You also ask, if our answer to your first question is in the affirmative, whether an unsubstantiated statement from an employee, as to the nonavailability of commercial transportation, may be used as the basis for paying per diem in an amount greater than a straight constructive time would provide.

B-177267

Paragraph C6000, Volume 2, JTR, provides as follows:

"C6000 ROUTING

"Travel performed other than by the usually traveled route must be justified as officially necessary. When, for his own convenience, a person travels by an indirect route or interrupts travel by a direct route, the extra expense will be borne by him, with reimbursement based only on such charges as would have been incurred by a usually traveled route (see Chapter 10). When used, transportation requests will be issued only for that portion of the trip properly chargeable to the Government, with any additional personal expense being paid by the employee to the carrier in cash, including the Federal transportation tax. Any excess travel time not justified as officially necessary will be charged to the appropriate type of leave."

In performing official travel a Government employee is required to proceed as expeditiously as he would if traveling on his personal business. See section 1.2 of the Standardized Government Travel Regulations, 5 U.S.C. 5733 and E-171146, February 18, 1971. Accordingly, we are of the opinion that, while paragraph C6000, Volume 2, JTR, does not specifically refer to premature departure, it provides authority in such a case for administrative officials to compute per diem on a constructive basis and to charge excess travel time not justified as officially necessary to the appropriate type of leave. Regarding your second question, it is our view that an employee's unsubstantiated statement as to the nonavailability of commercial transportation should not ordinarily be used as the basis for paying per diem in an amount greater than a straight constructive time would provide. The employee's statement should be verified by a transportation officer or, in a case involving a dispute between him and an employee, by the carrier.

In the instant case the record indicates that [redacted] may have been misinformed by the transportation officer as to when he would have to travel to comply with his orders. However, while the travel on May 15, 1972, appears to have resulted from an administrative error, this would not entitle [redacted] to an additional day of per diem since there was no official necessity for travel

B-177267

on that day. See B-147614, December 28, 1961; B-171146, February 18, 1971, copies enclosed. In view of the above the supplemental voucher is for disallowance and is retained here.

Sincerely yours,

R.F.KELLER

Deputy Comptroller General
of the United States

Enclosures

cc: Captain William D. Fries, USN, Executive
Per Diem, Travel and Transportation
Allowance Committee
Forrestal Building, Room 7A153
Washington, D.C. 20314

REFERENCE: PDTATAC 72-49