

DOCUMENT DISCUSSION

01981 - [A1052030]

[Taxicab Fares]. B-187976. April 11, 1977. 2 pp.

Decision re: Theodore P. Herrera; by Robert P. Keller, Deputy Comptroller General.

Issue Area: Personnel Management and Compensation: Compensation (305).

Contact: Office of the General Counsel: Civilian Personnel.

Budget Function: General Government: Central Personnel Management (805).

Organization Concerned: Department of the Interior.

Authority: 5 U.S.C. 5702. E-173978 (1971). B-167820 (1969).

B-185826 (1976). F.T.R. (FPMR 101-7), para. 1-7. *Bornhoft v. United States*, 137 Ct. Cl. 134, 136 (1956).

Anne C. Hansen, Authorized Certifying Officer, Department of the Interior, requested a decision on a reclaim voucher for expenses incurred while employee was in training course. Taxicab fares incurred in order to use laundry facilities and obtain additional subsistence items were not reimbursable, since the per diem allowed was considered adequate and reasonable. (DJN)

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DECISION



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

*CAPLAN
CIV. PER*

FILE: B-157976

DATE: April 11, 1977

MATTER OF: Theodore P. Herrera - Taxicab fares

DIGEST:

Reclaim voucher for taxicab fares incurred by trainee during training course in order to use laundry facilities and obtain incidental subsistence items may not be certified for payment since per diem was provided during training period in order to cover these types of incidental expenses. See FTR. para. 1-7.1b.

This action is in response to a request dated November 26, 1976, from Ms. Anna C. Hansen, Authorized Certifying Officer, United States Department of the Interior, for a decision on the propriety of certifying for payment a reclaim voucher submitted by Mr. Theodore P. Herrera, a Mine Inspector Trainee, for expenses which he incurred while attending a training course.

Mr. Herrera was authorized travel from Bellevue, Washington, to Beckley, West Virginia, and return from August 2, 1976, to August 27, 1976, in order to attend a Mine Inspector training course at the National Mine Health and Safety Academy. Mr. Herrera was authorized per diem in lieu of actual subsistence in accordance with Federal Travel Regulations (FPMR 101-7) para. 1-7 (May 1973). Since meals and lodging were provided at the Academy, Mr. Herrera was authorized 2 days per diem at \$33 per day subject to the sliding scale principle and 24 days per diem at \$2.80 per day when meals and lodging were provided. Mr. Herrera has been reimbursed for travel and subsistence in the amount of \$120 which included 14 days per diem at \$14 and 24 days at \$2.80 per day. Mr. Herrera's claim in the amount of \$48 for taxicab fares with tips for trips from the Academy to the city of Beckley in order to secure subsistence items and use laundry facilities was disallowed since the \$2.80 per diem was provided to cover such miscellaneous expenses. Mr. Herrera has filed a reclaim voucher for the \$48 which was disallowed.

The general statutory authority for per diem allowance is 5 U.S.C. § 5702 (1970) and provides in substance that while traveling on official business away from his designated post of duty an employee is entitled to a per diem allowance as prescribed by the

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agency concerned. The purpose of per diem has been recognized as providing a subsistence allowance to reimburse a traveler for eating in hotels and restaurants and to cover extra expenses incident to traveling. B-173978, October 12, 1971. See Bornhoft v. United States, 137 Ct. Cl. 134, 136 (1956). According to FTR para. 1-7.1b, the per diem in lieu of subsistence expenses includes, among others, charges for laundry, cleaning, and pressing of clothes, and transportation between places of lodging and places where meals are taken.

Although laundry facilities were not available for the first two weeks of Mr. Herrera's stay at the Academy, the agency considered \$2.80 per day to be a reasonable amount to cover incidental expenses such as laundry during a two week period for one person when meals and lodging are furnished at no cost. With regard to the subsistence items which were obtained in the city, we have held that a traveler's expenditures for newspapers, candy, pop, and coffee and rolls not consumed as a part of a regular meal are not necessary expenses of subsistence. B-167820, October 7, 1969. We have also held that a traveler's expenditures for snacks, however habitual and documented, are not necessary expenses of subsistence, and therefore may not be reimbursed. B-185826, May 28, 1976. Although these cases deal with reimbursement for actual subsistence expenses, they are instructive in determining what constitutes a reasonable per diem. While the record does not indicate what subsistence items were obtained during Mr. Herrera's trips to the city, since meals and lodging were provided at the Academy, the agency concluded that \$2.80 per diem was a reasonable amount to cover other necessary subsistence items and any transportation necessary to obtain those items.

Accordingly, the reclaim voucher may not be certified for payment.


Deputy Comptroller General
of the United States