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DECISION



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

FILE: B-188289

DATE: November 14, 1977

MATTER OF: Jack S. Sanders - Temporary quarters
subsistence expenses

- DIGEST:**
1. Transferred employee spent \$597.40 for meals and \$365.52 for groceries in 30-day period while occupying temporary quarters. Federal Travel Regulations (FPMR 101-7), para. 2-5.4a limits reimbursement to reasonable costs of meals (including groceries), and Department of Labor statistics indicate a family similar to that of employee would have spent approximately \$300 per month on groceries if eating primarily at home. Therefore, grocery costs were unreasonable in light of number of meals consumed away from home and may be adjusted downward.
 2. Transferred employee took number of items in for dry cleaning and laundry on first day of occupancy of temporary quarters at new duty station. Since it is not unreasonable to delay laundry and routine cleaning immediately prior to moving from one location to another due to likelihood of clothes becoming soiled or wrinkled during move, these costs may be reimbursed.
 3. Certifying officers should certify for payment all properly allowable items on travel voucher and disallow only those which are questionable relating to temporary quarters and subsistence expenses. Employee may then submit reclaim voucher for disallowed items. Certifying officers should also make determination in certifying original travel voucher as to what portion of temporary quarters and subsistence expenses are reasonable and forward such determination with reclaim.

By a letter dated January 25, 1977, Ms. Ruth W. Oxley, an authorized certifying officer with the Bureau of Reclamation, Department of the Interior, requested an advance decision regarding the claim of Mr. Jack S. Sanders for subsistence expenses while

B-188289

occupying temporary quarters. The certifying officer cited our decision Matter of Jesse A. Burks, B-185943, May 12, 1976, 55 Comp. Gen. 1107, which has now been amplified by 56 Comp. Gen. _____ (May 13, 1977), and requested a determination as to the reasonableness of the expenses. The expenses, incurred from September 17 to October 17, 1976, were incident to a permanent change of duty station from Menlo Park, California, to Amarillo, Texas, for which the employee received a travel advance of \$4,520.

The employee submitted a travel voucher in the amount of \$5,433.09, \$1,323.16 of which was for subsistence expenses while occupying temporary quarters. Of this latter amount the employee claimed a total of \$962.92 for meals and groceries (\$597.40 for meals and \$365.52 for groceries.) The certifying officer indicates that the agency considers this amount unreasonable. In addition, the certifying officer questions the employee's claim of \$52 for dry cleaning and laundry delivered to the cleaners on the first day of occupancy of temporary quarters and asks if this expense is properly related to the occupancy of temporary quarters.

The Federal Travel Regulations, in chapter 2, part 5, provide for the payment of the subsistence expenses of an employee and his immediate family while occupying temporary quarters when the employee is transferred to a new official station. Paragraph 2-5.4a of the FTR allows reimbursement only for actual subsistence expenses incurred, provided such expenses are incident to occupancy of temporary quarters "and are reasonable to amount." Charges for meals including groceries consumed during occupancy of temporary quarters and charges for drycleaning and laundry are allowable. In this connection we stated in Matter of Burks, 55 Comp. Gen. at 1110:

"It is the responsibility of the employing agency, in the first instance, to determine that such expenses are reasonable. Where the agency has exercised that responsibility, our Office will not substitute our judgment for that of the agency, in the absence of evidence that the agency's determination was clearly erroneous, arbitrary, or capricious. However, we have the right and the duty to review the circumstances of each case submitted to us and to make an independent determination as to the reasonableness of the claimed subsistence expenses. In this connection, the fact that the expenses claimed are within the maximum amounts specified in FTR para. 2-5.4c does not automatically entitle the employee to reimbursement. Rather, an evaluation of reasonableness must be made on the basis of the facts in each case. 52 Comp. Gen. 78 (1972). Accordingly, the

B-188289

amount claimed may be reduced to a reasonable sum as determined on the basis of the evidence in an individual case."

In the present case during the 30-day period the employee and his family purchased meals frequently and incurred expenses of \$597.40. Although no receipts were furnished, the employee itemized the costs on a daily and per meal basis. We do not find these charges to be excessive. Accordingly, the costs of the meals eaten out while occupying temporary quarters are reasonable.

At the same time the employee also incurred grocery costs of \$365.52. It is apparently this cost, in light of the number of meals purchased, which the certifying officer concludes is unreasonable. We agree and believe that the sum should be reduced to a reasonable amount.

In our decision Matter of Burks, supra, we stated that the amount claimed may be reduced on the basis of statistics and other information gathered by Government agencies regarding the cost of living in the relevant location. Therefore, we have examined publications prepared by the Bureau of Labor Statistics, Department of Labor, regarding family budgets for selected urban areas. The most recent statistics regarding urban family budgets are for autumn 1976. Selecting a budget of \$19,442 per year for a four-person family, such as that of Mr. Sanders, for autumn 1976 when the claimed expenses were incurred, we find that the higher level budget cost in nonmetropolitan areas in the south, including Texas, for food primarily consumed at home would be approximately \$300 per month. In light of the fact that Mr. Sanders and his family purchased many meals away from home, the amount claimed for groceries should be adjusted downward consistent with the foregoing.

With regard to the claim for laundry and dry cleaning the certifying officer questions the amount of \$52 which was spent for dry cleaning and laundry. She feels this is not a proper charge related to temporary quarters since the garments were taken to the cleaners on the first day of occupancy of temporary quarters. Although the record is silent as to whether the employee had access to home laundry facilities immediately prior to the move, we do not find it unreasonable for him to delay laundering clothes soiled during the period shortly before the transfer. Likewise, we do not find it unreasonable to delay routine dry cleaning immediately prior

B-188289

to a move due to the likelihood of clothes becoming wrinkled or soiled during the moving process. Accordingly the claim for those items may be allowed.

The voucher and enclosures forwarded with the submission are returned and appropriate action should be taken in accordance with the above.

With regard to requests by certifying officers for a determination of the reasonableness of an employee's temporary quarters and subsistence expenses, we are setting forth the following procedures.

We stated in our decision Matter of Burks, supra, that in the first instance, it is the responsibility of the employing agency to make a determination as to whether the temporary quarters and subsistence expenses claimed are reasonable. Certifying officers should, therefore, approve all properly allowable expenses on a travel voucher and certify those items for payment and disallow only questionable items. In the instant case only \$1,325.16 of a travel voucher totalling \$5,433.00 was questioned. Then, the certifying officer should inform the employee that he or she may reclaim the disallowed items. In making a determination of the reasonableness of temporary quarters and subsistence expenses, certifying officers should follow the guidance contained in this decision and Matter of Burks, supra. When an employee's reclaim voucher for temporary quarters and subsistence expenses is administratively disallowed as excessive, the certifying officer should forward his determination of unreasonableness with the reclaim.

Employees normally receive a substantial travel advance upon transfer for which they are responsible until a travel voucher has been certified. Until a travel voucher is certified the employee remains liable for the full amount of the advance. By submitting to the General Accounting Office only those items which are questionable, the certifying officer expedites settlement of the employee's liability.


Deputy Comptroller General
of the United States