

6074

*Quinn
Civ Pers*

DECISION



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

FILE: B-189160

DATE: April 18, 1978

**MATTER OF: Junius C. Berger - Retroactive Modification of
Travel Orders**

DIGEST: Employee was authorized to travel to and from temporary duty station in automobile of colleague. After 2 hours of duty on first day of contemplated temporary duty of 3 days he was notified of emergency at home and returned home by rented vehicle. Reimbursement for rental vehicle may not be made to employee since appropriate agency official has not made determination that employee had substantially completed assignment.

The Chief, Finance and Accounting, Central Security Service, National Security Agency, asks whether he may certify for payment a travel claim voucher for costs incurred by Mr. Junius C. Berger in renting a car used for return travel from a temporary duty assignment under the circumstances shown below. This request has been assigned Control No. 77-17 by the Per Diem, Travel, Transportation Allowance Committee. The matter was submitted for our decision since allowance of the claim would require retroactive modification of the travel authorization originally issued for Mr. Berger.

The record shows that Mr. Berger was issued Authorization for TDY Travel No. TD704127, dated March 4, 1977, for the purpose of attending meetings at State College, Pennsylvania, during the period of March 8-10, 1977. The travel authorization specified that Mr. Berger's travel would be as a passenger in the privately owned vehicle of a colleague who was also scheduled to attend the same meetings. Mr. Berger states that on the morning of March 8, 1977, the first session of the scheduled meetings, he was contacted by his wife and informed of an emergency at home. Since Mr. Berger did not have transportation of his own, it became necessary for him to rent an automobile in order to return to his residence to deal with the emergency situation. It is further reported by Mr. Berger, and his agency TDY approving official, Ms. Joanne Noga, that he had completed his portion of the temporary duty before being informed of the emergency at home. Mr. Berger departed his temporary duty station at 10:15 a.m. on March 8, 1977, two hours after the three days of scheduled meetings began. In order to provide for Mr. Berger's return transportation by rental car,

B-189160

an amended Authorization for TDY Travel was requested on March 14, 1977, and issued on March 15, 1977, which provided for a car rental from State College to the employee's residence.

Paragraph C4464, volume 2, Joint Travel Regulations provides that when an employee abandons a temporary duty assignment the cost relating to return of the employee to his permanent duty station will not be at Government expense, unless it is determined administratively that the employee substantially completed the mission requirements of the temporary duty assignment. We have been advised by the Deputy Finance Officer that the agency has generally required such a determination to be made by a Travel Approving Official or a Travel Requesting Official. These officials are to be distinguished from the TDY approving official, Ms. Noga, an official with more limited responsibility and who, we have been advised informally, does not have the authority to make such a determination. The record does not reveal a determination to have been made in this case by either a Travel Approving Official or a Travel Requesting Official. Moreover, on the basis of the facts before us, it would appear that such a determination would be difficult to make because the employee left his TDY station almost immediately after his temporary duty began. Also, we point out that the general rule against retroactively amending travel orders would appear to bar payment of the rental car expenses under the circumstances in this case.

Accordingly, the voucher may not be certified for payment.


Deputy, Comptroller General
of the United States