

**DECISION**

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

FILE: B-194499

DATE: October 31, 1979

MATTER OF:

**DIGEST:** Service members not in a travel status incurred personal expenses incident to their military duties during a snowstorm and seek reimbursement. The entitlement of members of the armed services to be so reimbursed for expenses incident to their military service is contained in title 37, United States Code. In the absence of specific authorization, there is no legal basis upon which this Office may authorize reimbursement.

This action is in response to a letter dated March 28, 1979, with enclosures, from the Chief, Financial Policy and Accounting Division, Defense Intelligence Agency, requesting an advance decision as to the propriety of making payment on vouchers in favor of Colonel [redacted], and Lieutenant Colonel [redacted], representing reimbursement of certain expenses incurred by them as military members on February 19, 1979, as a result of a snowstorm.

This submission states that Colonel [redacted], who was attached to the Defense Intelligence Agency not in a travel status reported to his duty station at the National Military Intelligence Center, the Pentagon, on February 18, 1979, for duty. Early in the morning of February 19, Colonel [redacted]' relief arrived and advised him of the snowstorm, suggesting that it was nearly impossible for anyone to leave or report to work that day. After going outside and assessing the situation himself, Colonel [redacted] and his team chief, Lieutenant Colonel [redacted], both of whom were scheduled to be off duty for 5 days after completing that shift, decided to go to the nearby Marriott Motel for rest, with the idea in mind to be available to return to the Center for another tour of duty if the scheduled reliefs for the afternoon of the 19th were unable to arrive.

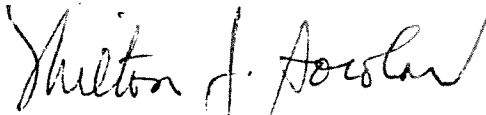
It is reported that Colonel [redacted] called the Center later that day and learned that neither the afternoon nor the night

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relief would be able to report due to the weather conditions. Both men later returned to the Pentagon to relieve their relief. As a result, they incurred expenses for lodging, meals and incidentals for which they now seek reimbursement.

Although the two members may not be allowed travel per diem since they remained at their permanent duty station, in certain unusual situations members of the uniformed services and civilian employees have been allowed lodgings and meals at headquarters at Government expense based upon a determination that such costs were necessarily incurred in the performance of Government business. See 53 Comp. Gen. 74 (1973); 51 *id.* 12 (1971). In this case, however, it is not shown that anyone in authority directed the claimants to remain near their work site or that the expense in question has been determined to be necessarily incurred in the performance of Government business.

In the absence of such authority, there is no basis upon which this Office may authorize reimbursement to the individuals in question.



For The Comptroller General  
of the United States