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

B-197581

February 20, 1980

*Do not make available to public reading room*The Honorable Sam Nunn  
United States Senate

Dear Senator Nunn:

We refer to the letter of January 18, 1980, from your office, with enclosure, regarding a travel claim of Mr. Bernard Heischer, an employee of the Atlanta office of the Department of Energy. Mr. Heischer asserts that his claim for reimbursement for breakfast purchased on a day of travel was denied by the Atlanta office based upon a decision of the Comptroller General, B-190511, March 24, 1978, 57 Comp. Gen. 367. A copy of that decision is enclosed for your information.

From the information contained in Mr. Heischer's letter we are unable to determine the validity of his claim on that information alone or whether the Atlanta office properly applied our decision 57 Comp. Gen. 367 when they denied his claim. It appears, however, that the facts as set forth by Mr. Heischer approximate the factual situation in our decision H. Curtiss Burrell, B-195940, December 26, 1979, copy enclosed. In the Burrell decision we determined that an employee assigned to temporary duty and authorized reimbursement for actual subsistence expenses is ordinarily expected to eat breakfast at home on the day of departure from his residence. However, where the employee's departure is at such an early morning hour that it would be unreasonable to expect him to eat breakfast at home, he may be reimbursed for a breakfast purchased away from his permanent duty station.

However, we also stated in the Burrell case, that the determination of whether he should be reimbursed for the cost of the breakfast claimed is a matter of judgment within the discretion of the agency; and that the controlling consideration is the amount of time between the employee's departure and the lunch hour.


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Also, for consideration in Mr. Heischer's claim is the fact that the amount is less than \$25. Claims amounting to less than \$25 should normally be handled by certifying and disbursing officers under the procedures authorized in the letter of July 14, 1976, copy enclosed, and need not be submitted to the Comptroller General for decision.

If in view of the materials enclosed Mr. Heischer feels he has a valid claim, he should ask the Atlanta office of the Department of Energy to reconsider his claim in view of the enclosed materials.

We trust the information supplied is responsive to the purpose of your inquiry. The enclosure is returned as requested.

Sincerely yours,

  
Deputy Comptroller General  
of the United States

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