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DECISION



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

FILE:B-201083

DATE: August 5, 1981

MATTER OF:John W. Keys, III

DIGEST: Employee who purchased "super-saver" airline ticket and arranged to take annual leave in anticipation of a personal trip, may not be reimbursed for additional air travel expense incurred when employee's official duties caused him to make alternate flight reservations which disqualified him from receiving the "super-saver" fare since there is no legal basis for the claim.

This action is in response to a request from the Authorized Certifying Officer for the Water and Power Resources Service, United States Department of the Interior, as to whether the claim of John W. Keys, III may be paid. The request concerns the liability of the Government for \$98.62 in additional personal air travel costs incurred by Mr. Keys when his official duties caused him to change his flight reservations. We find that reimbursement may not be authorized.

Mr. Keys, an Assistant Regional Director for the Water and Power Resources Service, indicates that he had planned to take a personal trip from Boise, Idaho, to Denver, Colorado on October 17-19, 1980. On September 15, 1980, Mr. Keys purchased a "super-saver" (discounted) airline ticket and at the same time, he arranged to take annual leave on the afternoon of October 17, 1980. Prior to entering annual leave status, circumstances developed in connection with Mr. Keys' official duties which caused him to remain at the office that afternoon and also to return on an earlier flight on Sunday, October 19. As a result, Mr. Keys found it necessary to change his flight reservations and he was charged an additional \$98.62 since the change disqualified him from receiving the "super-saver" fare. Mr. Keys claims that the additional charges were directly connected with the performance of official business and has requested that the Government reimburse him for the additional personal expense.

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As supportive of Mr. Keys' claim, several decisions were cited that allowed reimbursement where additional travel costs were incurred as a result of the cancellation of annual leave. See, e.g., Gregg Marshall, 58 Comp. Gen. 797 (1979), B-177593, May 18, 1973. However, these decisions involve official travel intermingled with personal business, while Mr. Keys' claim involves only personal travel. More apposite to the present situation are those cases which have denied claims for purely personal expenses such as hotel room deposits and dependents' travel costs, which resulted from the cancellation of annual leave. See e.g., Delbert C. Nahm, B-191588, January 2, 1979; Karl G. Sessler, B-190755, June 15, 1978; and B-176721, November 9, 1972.

The certifying officer could not find any authority under which payment could be made. Our own research also has not revealed any law or regulation under which we may authorize payment to Mr. Keys for the additional personal travel expense incurred. While it is unfortunate that Mr. Keys found it necessary to change his travel plans and incurred additional costs as a result of the change, there is no authority under which we may authorize reimbursement for the additional expense. Accordingly, payment of the claim may not be made.

Milton J. Fowler

Acting Comptroller General
of the United States