

**DECISION**



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

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PLM-1  
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**FILE:** B-206963

**DATE:** June 23, 1982

**MATTER OF:** Small Business Administration - Travel  
expenses - Theft of train ticket

**DIGEST:** An employee of the Small Business Administration, under authorized travel orders, purchased an AMTRAK ticket by Government Transportation Request (GTR) to travel from Washington, D.C., to Philadelphia, and return. While in Philadelphia, the return ticket and other personal items were stolen from her hotel room. She purchased another ticket for \$20 cash in order to return to Washington, D.C., and subsequently claimed reimbursement for the additional ticket. We hold that where the employee purchased a replacement train ticket with personal funds because the unserialized ticket previously issued on a GTR was stolen and unavailable through no fault of the employee, she may be reimbursed for the full amount of the replacement ticket.

The issue presented is whether an employee may be reimbursed for the cost of a train ticket she purchased to replace an unserialized AMTRAK ticket stolen from her hotel room. Under the circumstances of this case, we hold that the employee may be reimbursed.

The Director of the Accounting Operations Branch of the Small Business Administration requests an advance decision concerning the reimbursement of an employee who, under authorized travel orders dated April 29, 1981, received an AMTRAK ticket purchased by a Government Transportation Request (GTR) to travel from Washington, D.C., to Philadelphia, Pennsylvania, and return. While in Philadelphia, the return ticket and other personal items were stolen from her hotel room. On May 14, 1981, she purchased another ticket for \$20 cash in order to return to Washington, D.C. Subsequently, she filed a reimbursement voucher claiming the \$20 she spent for the ticket as an expense item.

Ordinarily the General Accounting Office will not render an advance decision unless the request is accompanied by an original voucher properly certified and approved, 22 Comp. Gen. 588 (1943). Where the record shows, however, that the certifying or disbursing officer does have a voucher before him, the question presented may be decided in order to expedite matters. H. J. Otway, 58 Comp. Gen. 612 (1979).

The agency reports its investigation and evaluation of the claim as follows:

"Our review of the claim did not uncover any evidence of neglect on the part of claimant. In addition, claimant was unable to obtain a receipted copy for the stolen ticket because AMTRAK tickets do not carry serial numbers. Also, AMTRAK refuses to accept liability for the stolen tickets and will not reimburse the Agency the cost of the ticket. It is apparent that if we do not reimburse claimant she will suffer an inequitable loss."

However, finding no clear precedent in the Federal Travel Regulations, FPMR 101-7 (May 1973), or selected decisions of this Office, the agency asks for a decision concerning certification of payment on the voucher.

Employees traveling on official business generally provide themselves with funds for all current expenses. However, U.S. Government Transportation Requests (GTR) (Standard Form 1169) are issued and used for officially authorized passenger transportation by common carrier. Concerning lost or stolen GTRs--or tickets received in exchange for a GTR--paragraph 1-10.2a(3) of the Federal Travel Regulations provides as follows:

"(3) Lost or stolen GTR. When a GTR in the possession of a traveler or other accountable person is lost or stolen, an immediate report shall be made to the administrative office in the manner prescribed by the agency concerned. If the lost or stolen GTR shows the carrier, service desired, and point of origin, the named carrier and other local initial carriers shall be promptly notified. A GTR which

is recovered subsequent to having been reported lost, shall not be used but shall be sent to the administrative office. A traveler may be held liable for any expenditure by the Government caused through negligence on his part in safeguarding GTR's or tickets received in exchange for a GTR. "

Similarly, Chapter 101 of the Federal Property Management Regulations (41 C.F.R. § 101-41.212 (1980)) provides for potential accountability for lost or stolen tickets or coupons as follows:

"Travelers or other accountable persons are responsible for the custody of tickets and other transportation documents received in exchange for GTR's or other procuring instruments. Failure to safeguard these documents may result in personal liability to the traveler or other accountable person if the tickets or documents are used by unauthorized persons. Agency regulations should caution travelers and other accountable persons about such liability."

In the past, decisions of this Office have cited a substantially similar provision pertaining to the liability of travelers for lost or stolen tickets found in the General Accounting Office Policy and Procedures Manual for Guidance of Federal Agencies at 5 GAO 2058 (October 19, 1959). In our decision in B-149026, July 10, 1962, this Office held that in view of the fact that railroad carriers would generally allow a refund on properly identified lost tickets, a traveler will bear the cost of a lost ticket only when such ticket is used by an unauthorized person. In our decision John W. Zerolis, B-187879, July 11, 1977, we concluded that travelers "\* \* \*" are not only liable for the unauthorized use of a lost ticket, but are also liable for the cost of the ticket when due to their negligence or fault, it is not possible to ascertain whether an unauthorized use of the ticket has been made. "

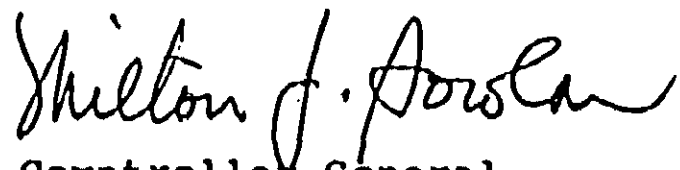
In Zerolis, we stated that air carriers will refund to the Government the purchase price of unused tickets provided that certain essential information is provided. One of the

required items of information is the serial number of the lost ticket which is necessary for the carrier to be able to determine that the ticket has not been used. Since Mr. Zerolis failed to obtain a receipt for the unused ticket showing the serial number of the ticket, he prevented the Government from securing a refund since the carrier could not determine whether the lost ticket had been used. Accordingly, his claim was denied.

The determination of negligence or fault on the part of an employee, where it cannot be ascertained whether unauthorized use of a lost ticket has been made, involves a matter of judgment with respect to the particular facts of the given case. This is why paragraph 1-10.2a(3) of the Federal Travel Regulations and section 101-41.212 of the Federal Property Management Regulations provide that a traveler may be held liable for any expenditure by the Government caused through his or her negligence in safeguarding Government Travel Requests or tickets received in exchange for a Government Travel Request.

In the present case, the employee exchanged the Government Travel Request she received for a two-part, unserialized, round-trip ticket from Washington to Philadelphia. She used the first part of the ticket to travel to Philadelphia where, while on official duty, she suffered the theft of personal possessions including her return ticket. The agency found no evidence that the employee was negligent in the safeguarding of her ticket or that she in any way contributed to the loss in question. The employee was unable to obtain a receipted copy for the stolen ticket because AMTRAK tickets do not have serial numbers. Thus, it follows that there is no way to ascertain whether an unauthorized use of the ticket has been made.

In the circumstances presented where there is no evidence of negligence or culpability on the part of the employee, we conclude that the agency may reimburse the employee in the full amount of the replacement ticket.

*for*   
Comptroller General  
of the United States