

DECISION



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

FILE: B-214539

DATE: August 16, 1984

MATTER OF: Barry G. Gale

DIGEST:

An employee of the Department of Energy assigned to temporary duty in Seattle, Washington, upon arrival at the Seattle airport, was informed of his father's death. Based on the administrative determination that he was incapable of representing the Department at the meeting he had been assigned to attend, the employee was ordered to return to Washington, D.C. and he was placed on sick leave. The employee's return travel expenses may be paid on the basis of the agency's determination that the employee became ill and was incapacitated for the purpose of performing his temporary duty assignment.

An authorized certifying officer for the Department of Energy requests an advance decision^{1/} as to whether he may properly certify a travel voucher presented by Barry G. Gale, in connection with a temporary duty assignment he failed to complete. We conclude that the voucher may be certified for payment based on the administrative determination that the employee became incapacitated and unable to perform his official duties before arrival at the temporary duty location.

Mr. Gale was authorized to travel from his official station in Washington, D.C., to Richland, Washington, and return for the purpose of representing the Department of Energy's Office of Civilian Radioactive Waste Management at a meeting with officials of the State of Washington. His travel authorization indicated that he was to depart on August 15, 1983, and to return on August 17th.

^{1/} The request was made by V. Joseph Startari by letter of February 28, 1984.

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In accordance with his travel authorization Mr. Gale left his residence at 5:30 a.m. on August 15th and arrived in Seattle at 11:15 a.m. Upon arrival he was informed of the death of his father and he was advised by officials at Department of Energy headquarters to return to Washington, D.C. He left Seattle at 12:25 p.m. on the same day after having complied with headquarters' instruction to communicate the Department's position to its field office. Upon return to his official station he was placed in a sick leave status.

The travel voucher in question covers round-trip travel expenses between Washington, D.C. and Seattle. Mr. Gale has been allowed only those expenses attributable to his travel to Seattle pending this determination.

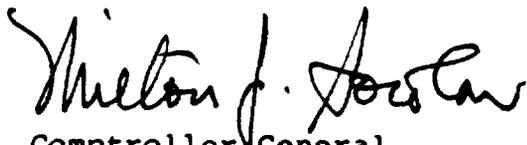
The certifying officer asks whether payment of Mr. Gale's return travel expenses may be authorized based on a memorandum from the Acting Director, Siting Division, Office of Civilian Radioactive Waste Management, indicating that Mr. Gale was advised to return because headquarters officials felt he was incapacitated for the purpose of attending the meeting.

The general rule is that an employee who interrupts or abandons his temporary duty assignment for personal reasons may be reimbursed only the cost of the travel to the point of interruption or abandonment unless he has substantially completed his assignment. Vernice C. Bruce, B-194413, November 9, 1979.

However, as an exception to that general rule we have held that return travel expenses may be paid in cases where the employee is incapacitated due to illness while at his temporary duty station prior to completion of his assignment. Gary B. Churchill, 57 Comp. Gen. 1 (1977). Since the Department of Energy placed Mr. Gale in a sick leave status and had a reasonable basis for concluding that he was ill and incapable of representing the Department at the meeting, we would not object to the agency's payment of his return travel expenses.

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Accordingly, the voucher may be certified for payment if otherwise proper.


Acting Comptroller General
of the United States