

149609



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Della S. Triggs

File: B-249820

Date: January 28, 1993

DIGEST

1. An employee may not be reimbursed for shipping a privately owned vehicle to or from a training assignment location since the law governing that training (5 U.S.C. § 4109 (1988)), does not provide that authority nor may such expense be used to establish a cost comparison to determine travel reimbursement on a constructive basis. Michael G. Pond, 58 Comp. Gen. 253 (1979), and Reconsideration of Pond, B-193197, Jan. 10, 1980; Paul S. Bequaud, B-214610, Feb. 19, 1985.

2. An employee may not be authorized use of a rental vehicle at a training assignment location while waiting for her shipped privately owned vehicle to arrive unless there was official business to be conducted which required the use of a rental vehicle. Kenneth A. Cucullu, B-236570, Apr. 13, 1990, and decisions cited.

DECISION

This decision is in response to a request from the Certifying Officer, Federal Aviation Administration - Alaska Region (FAA), Department of Transportation.¹ It concerns the entitlement of Ms. Della S. Triggs to be reimbursed for shipment of privately owned vehicle (POV) from Anchorage, Alaska, to Seattle, Washington, to be used by her while performing long-term temporary duty for training. We conclude that she may not be reimbursed that cost, for the following reasons.

Ms. Triggs, an employee of the FAA stationed in Anchorage, Alaska, was authorized temporary duty travel to Seattle, Washington, for training for a 2-year period beginning January 13, 1992. Although she was authorized to travel by POV as advantageous to the government, she was also authorized to travel by air. In recognition of her need to

¹Ms. Terry Saldana.

have her POV in Seattle, she was authorized to rent a vehicle there for a period not to exceed 10 days if she chose to fly there and have her POV shipped.

On January 10, 1992, Ms. Triggs shipped her POV to Seattle and on the following day flew there by using a government transportation request (GTR). She now seeks reimbursement for her transportation expenses to include her POV shipment costs based on a cost comparison of what her estimated expenses would have been had she driven to Seattle, as opposed to the method of travel actually used.

Payment of travel and transportation expenses relating to periods of long-term training is governed by the provisions of 5 U.S.C. § 4109 (1988). Subsection 4109(a)(2) thereof provides, in part, that an agency may pay or reimburse an employee for all or part of the necessary expenses of training, including the cost of--

"(A) travel and per diem instead of subsistence . . .

"(B) Transportation of immediate family, household goods and personal effects, packing, crating, temporarily storing, draying and unpacking . . . when the estimated costs of transportation and related services are less than the estimated aggregate per diem payments for the period of training"

In decision Michael G. Pond, 58 Comp. Gen. 253 (1979), and Reconsideration of Pond, B-193197, Jan. 10, 1980, we analyzed the type of duty assignment contemplated by 5 U.S.C. § 4109 and the benefits available to employees incident to such assignments. We stated therein that, "[i]t must be recognized that travel for training is not ordinary TDY or PCS travel but is in a class by itself." Michael G. Pond, supra, at 257. We ruled, therefore, that the travel expenses payable in connection with long-term training assignments are limited to those expense items specifically authorized in 5 U.S.C. § 4109,² and that shipment of a POV is not authorized as government expense under 5 U.S.C. § 4109.

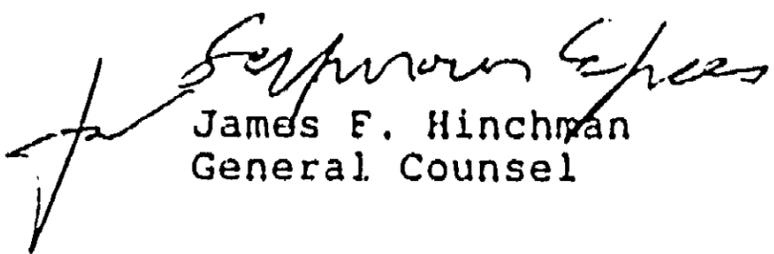
Therefore, since shipment of a privately owned vehicle is not authorized, such expenses incurred by an employee may not be used to establish a cost comparison to determine the

²See also Stephen T. Crcall, 60 Comp. Gen. 478 (1981) and John E. Wright, 64 Comp. Gen. 268 (1985).

maximum travel reimbursement on a constructive basis.³ Ms. Triggs chose to fly to her training location by use of a GTR rather than drive her POV. Therefore, the cost of that GTR represents her maximum travel entitlement for the out-bound portion of her travel.

With regard to the agency authorizing Ms. Triggs to use a rental car in Seattle as advantageous to the government, an employee may only be reimbursed for official business use of such a vehicle, 41 C.F.R. § 301-3.2(a) (1992). Any expenses incurred by an employee for personal use of a rented vehicle must be borne by the employee.⁴

The submission suggests that the only reason Ms. Triggs was authorized to use a rental vehicle in Seattle was because she had decided to ship her own POV rather than use it as a mode of transportation and might require transportation in Seattle until her POV arrived. Therefore, unless there was official business to be conducted in Seattle which required the use of a rental vehicle, there was no basis for the agency to authorize Ms. Triggs to rent a vehicle there for any period of time.


James F. Hinchman
General Counsel

³Paul S. Beaud, B-214610, Feb. 19, 1985.

⁴Kenneth A. Cucully, B-236570, Apr. 13, 1990, citing to Joseph P. Crowley, B-186115, Feb. 4, 1977. Compare Raymond E. Vener, B-199122, Feb. 18, 1981.