



UNITED STATES GENERAL ACCOUNTING OFFICE

WASHINGTON, D.C. 20548

OFFICE OF GENERAL COUNSEL
B-221035

December 9, 1985

Mr. A. Ventre
Travel Section Supervisor
Navy Resale and Services Support Office
Department of the Navy
Fort Wadsworth
Staten Island, New York 10305

Dear Sir:

This is in reference to your letter of October 31, 1985, regarding an employee who requests reimbursement for taxi fare incurred when he attended religious services on a nonworkday while he was on temporary duty. You ask whether the employee may be reimbursed and request clarification of the Joint Travel Regulations. While a decision will not be furnished pursuant to your request, the following information should be helpful.

Authority to allow travel expenses for Government employees is found in 5 U.S.C. §§ 5701-5709. Regulations promulgated pursuant to that authority are found in the Federal Travel Regulations and the Joint Travel Regulations which implement the Federal Travel Regulations for civilian employees of the Department of Defense. Payment of travel expenses is limited by these regulatory and statutory authorities, and we are aware of no authority which would allow payment to an employee to attend religious services on a nonworkday while on temporary duty.

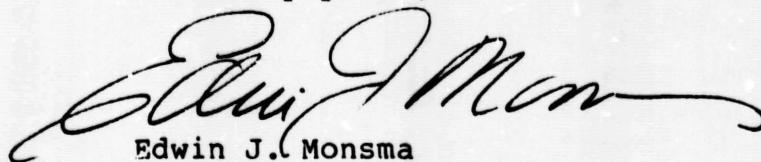
As you noted in your submission, subparagraph C4554-7 of Volume 2 of the Joint Travel Regulations (2 JTR), prohibits payment for transportation costs of an employee on temporary duty who travels for personal reasons from his temporary duty station on a nonworkday to a location other than his home or permanent duty station. This provision is generally cited in the situation where an employee travels away from his temporary duty station for personal reasons, but does not return to his permanent duty station or his home. However, it also may be cited to support the holding that the travel of an employee to religious services at or near his temporary duty station is a personal matter for which reimbursement is not authorized.

Paragraph C2101 of 2 JTR governs local travel of employees on temporary duty by taxicab, bus, streetcar, subway or other public or special conveyance. Such travel is authorized under limited circumstances described in 2 JTR paragraph C2101-1. They include travel between a common carrier or other terminal and the employee's place of business or lodging, travel between common carrier terminals when an employee is required to change from one common carrier to another and, under certain circumstances, from the employee's lodging or place of business, to obtain meals. The regulations do not provide payment to an employee for travel for personal business, and attendance at religious services was personal business of the employee, not official business of the Government. We find no decision of the Comptroller General which would support a holding that travel to religious services by individuals on temporary duty is other than personal business.

Enclosed is a copy of the Comptroller General's decision Reuben Yudkowsky, B-202411, December 1, 1981, involving the denial of a claim for travel expenses incurred by a traveler because of religious beliefs.

We trust the information will be of assistance to you.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Edwin J. Monsma", with a long, sweeping horizontal flourish extending to the right.

Edwin J. Monsma
Assistant General Counsel

Enclosure