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THE COMPTROLLER GENERAL OF THE UNITED STATES

WASHINGTON, D.C. 2054B

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MATTER OF: Reimbursement of Government employees for transportation purchased through travel

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DIGEST:

Members or civilian employees of the uniformed services who 1. Inadvertently purchase official transpartation with personal funds from a travel agent without prior approval by administrative office may be reinbursed an amount not exceeding cost of transportation if it had been purchased directly from carrier.

Volume 1, JTR, may be amended to permit procurement of parcenger transportation by group or charter arrangements from travel agencies to the extent allowed civilian employees in the FTR, par. 1-3.4b(2).

This action is in response to a letter dated March 13, 1978, from the Assistant Secretary of the Army (Manpower and Reserve Affairs) requesting an advance decision whether members or civilian employees of the uniformed services may be reimbursed the costs of tickets purchased with personal funds from travel agents for official Government travel within the United States.

If reimbursement is not authorized, the Assistant Secretary asks whether the Joint Travel Regulations, Volume I, can be amended to permit procurement of passenger transportation by group or charter arrangement from travel agencies for travel by members of the uniformed services to the extent allowed civilian employees in par. 1-3.4b(2) of the Federal Travel Regulations.

The questions have been assigned PDTATAC Control No. 78-8 by the Per Diem, Travel and Transportation Allowance Committee.

Section 52.3 of Title 4 of the Code of Federal Regulations provides that travel agencies may not be used in the procurement of official passenger transportation except where the purchases cannot be made from American-flag carriers at overseas locations. B-103315

The non-use of travel agencies is premised on the determination that procurement directly from the carriers is more efficient and economical than purchases from the travel agencies.

Since all flight reservations must be made and confirmed with the airlines, any cancellations or changes in flight plans, which frequently occur, can be effected more readily and with less likelihood of error by dealing directly with the carriers. Changes and modifications in travel arrangements generally result in adjustments in the total charges payable to the carriers by the Government. Section 322 of the Transportation Act of 1940, as amended, 49 U.S.C. 66(a) provides that payment for transportation of persons or property for or on the behalf of the United States by any carrier or forwarder shall be made upon presentation of bills therefor, prior to audit or settlement by the General Services Administration, but the right is expressly reserved to the United States Government to deduct the amount of any overcharge by any carrier or forwarder from any amount subsequently found to be due such carrier or forwarder.

In our decision of October 12, 1967, 47 Comp. Gen. 204, an exception was made to the general prohibition on the use of travel agencies where it was administratively determined that substantial savings would accrue to the United States on overseas travel purchased from travel agencies. The exception was premised on the substantially lower air fares offered by the travel agencies based on group and charter air fares. Transportation Requests were not to be used. Instead, the traveler must purchase the ticket with cash, and then claim reimbursement. Appropriate travel advances were authorized to cover the procurement.

Paragraph 1-3.4(b) of the Federal Travel Regulations (FTR) publishes provisions relating to the use of reduced fares offered by the carriers and by the travel agents. Subparagraph (1) provides for the use of the lower fares offered by the carriers when it can be determined prior to the start of the trip that such services are practical and economical to the Government. Subparagraph (2) authorizes the use of group or charter fares sold by trivel agents when such use will not interfere with the performance of official business. An administrative determination is required prior to the travel that the use of the reduced fares will result in a monetary savings to the Government, and will not interfere with the conduct of official business.

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In those circumstances where members or civilian employees of the uniformed services inadvertencly purchase official transportation from a travel agent with the use of personal funds, without prior approval by the administrative office, they may be reimbursed in an amount which does not exceed the charges which would have been payable if the transportation had been purchased directly from the carrier. They should be admonished, however, that official Government travel ordinarily is purchased directly from the carrier in the absence of an advance administrative determination that group or charter fares sold by the travel agents will result in a lower cost to the Government and will not interfere with official business. See also in this regard, 41 C.F.R. 101-41.202 and 101-41.203.1.

Also, to achieve more uniformity in regulations relating to travel, the Joint Travel Regulations, Volume I, may be amended to permit procurement of passenger transportation by group or charter arrangements from travel agencies for travel by members of the uniform services to the extent allowed civilian employees in the FTR, par. 1-3.4b(2).

Deputy Comptroller General of the United States

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