

**DECISION**



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

**FILE:** B-211287

**DATE:** July 12, 1983

**MATTER OF:** Seymour A. Kleiman

**DIGEST:** Employee seeks reimbursement for automobile rental expenses he incurred while on a temporary assignment. His use of the vehicle for travel to and from the area air terminal is the only portion of the claim that constitutes authorized travel. Otherwise, the vehicle was used for the personal convenience of the employee and not on official business. He is, therefore, entitled only to the constructive cost of the round-trip fare between his lodging and the air terminal by way of airport limousine service, or otherwise in accordance with the applicable regulation.

An employee of the Department of Energy, Mr. Seymour A. Kleiman, seeks reimbursement of car rental expenses, in the amount of \$253.24, which he incurred while on a temporary duty assignment in Atlanta, Georgia. An authorized certifying officer of that agency has requested a decision as to whether Mr. Kleiman is entitled to payment as claimed. We find that reimbursement for the claimed expenses is allowable only in the amount of the constructive cost of round-trip transportation between the Atlanta airport and the employee's lodgings there.

On January 26, 1982, a travel authorization was issued for Mr. Kleiman's travel to Atlanta for temporary duty, to commence on February 1, 1982, and end on February 5, 1982. The mode of travel authorized at that time was common carrier. However, the record indicates that Mr. Kleiman rented an automobile upon his arrival at the Atlanta airport and returned it on the day of his departure.

After Mr. Kleiman returned to his permanent duty station, his travel orders were amended to extend his temporary assignment by 5 days. The amended travel order also authorized his rental of the car, the stated justification being that use of the car was required in order for him to attend daily prayer services for his deceased mother.

The employee states that although the car enabled him to satisfy his religious obligations, it was also used for transportation to and from the airport and between his motel and local restaurants. He suggests that it served an additional purpose related to his temporary duty assignment in that it enabled him to move from a hotel located near the synagogue he attended to a hotel across the street from the temporary duty site, a move that he claims enabled him to complete the temporary assignment more expeditiously. He further maintains that because the amended travel order was signed by the appropriate agency officials, he is entitled to reimbursement.

Rental of an automobile by a Federal employee in the performance of his duties is governed by paragraph 1-3.2 of the Federal Travel Regulations (FPMR A-40, September 1, 1981) which provides for such rental if specifically authorized or approved as advantageous to the Government and if the vehicle is used on official business. Thus, the issue in this case is whether Mr. Kleiman used the automobile he rented for official business.

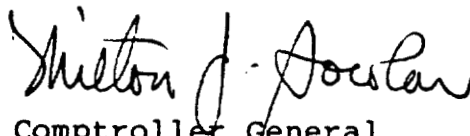
Under the general rules governing travel allowances, reimbursable travel expenses are confined to expenses that are prudently incurred and essential to the transacting of official business. Federal Travel Regulations, paragraph 1-1.3. Mr. Kleiman's argument that the rental car facilitated his move to a nearby hotel and, thus, served a purpose related to his temporary duty assignment appears to be based on the assumption that he acted appropriately in initially securing lodgings convenient to the synagogue but at some distance from the temporary duty site. Travel regulations pertaining to local transportation contemplate that the employee on temporary duty will ordinarily lodge in close proximity to the temporary duty site. Federal Travel Regulations, paragraph 1-2.3. In cases where an employee stays in a motel at a greater distance than normal from the temporary duty station, in the absence of a showing that adequate lodging in the immediate vicinity was unavailable or that an overall cost savings in travel expenses resulted, we have disallowed local travel expenses occasioned by the employee's remote lodging. Matter of Davis, B-197576, September 8, 1980; Matter of Wasserman, B-192112, October 11, 1976. Since the cost of lodging at the more distant hotel exceeded that of the motel closer to his duty site, we are unable

to find that Mr. Kleiman acted prudently in initially obtaining lodgings near the synagogue or that his use of the rental car to facilitate his travel to the synagogue served any official purpose. That travel was personal.

Similarly, where there is no showing that suitable dining facilities were not available at or near the duty site, as required by paragraph 1-2.3b of the Federal Travel Regulations, travel expenses incurred in obtaining meals are not incident to the performance of official business and, therefore, are not reimbursable. Matter of Yudkowsky, B-202411, December 1, 1981; Matter of Townsend, B-195226, August 10, 1979.

The facts in this case indicate that, with the exception of his round-trip travel between the Atlanta airport and his hotel upon arrival and departure, Mr. Kleiman did not use the rental car on official business but for his own personal convenience. See Matter of Peterson, B-200640, July 7, 1981. For this reason, he is not entitled to payment as claimed, and the amended travel order which (improperly) authorized his use of a rental car has no bearing on his ineligibility for reimbursement. Matter of Townsend, cited above; Matter of Woll, B-186820, February 23, 1978.

Since transportation to and from carrier terminals is authorized by the Federal Travel Regulations, paragraph 1-2.3c, Mr. Kleiman may only be reimbursed for the constructive cost of the airport limousine fare to and from the Atlanta airport, or otherwise in accordance with that regulation. Matter of Crowley, B-186115, February 4, 1977.

for   
Comptroller General  
of the United States