

**DECISION**

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

29599

**FILE:** B-214204**DATE:** October 19, 1984**MATTER OF:** Loida Velilla**DIGEST:**

An employee of the Government confirmed a motel reservation in the course of her official duties with her personal credit card for an individual traveling to participate in an agency sponsored program. The employee may be reimbursed when the room is subsequently charged to her credit card where the traveler does not use the room or notify the hotel or the agency of his change in plans.

An employee of the Government, who confirms a hotel reservation with her personal credit card for an individual traveling under agency issued travel orders to participate in a Government sponsored program, may be reimbursed for the cost of the motel room when the individual stays with friends and fails to cancel the reservation.<sup>1</sup>

**BACKGROUND**

Ms. Loida Velilla, an employee of the Small Business Administration, as part of her official duties, made a motel reservation for an individual who was not a Government employee but was authorized travel at Government expense to Washington, D.C., in order to appear on an SBA sponsored television program. When making the reservation Ms. Velilla was informed by the motel that the reservation could not be confirmed without a credit card number. To ensure a confirmed reservation Ms. Velilla used her personal American Express account number and informed the individual of the confirmed reservation. Upon arrival in Washington the person for whom Ms. Velilla had made the reservation decided to stay with friends instead of in the motel. Neither the Small Business Administration nor the motel was informed of the change in plans. Since the confirmed reservation was not cancelled, Ms. Velilla was billed \$44 by the motel on her American Express account. The agency requests our decision as to whether Ms. Velilla may be reimbursed under the circumstances.

<sup>1</sup> This decision results from the request of John E. Lagos, an authorized certifying officer with the Small Business Administration.

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DISCUSSION

Employees in the Government service, including experts and consultants paid on a daily when-actually-employed basis and individuals serving without pay or at \$1 a year, may be allowed travel or transportation expenses as authorized in subchapter I, chapter 57, title 5, United States Code. 5 U.S.C. § 5703. Under implementing regulations, the Federal Travel Regulations, para. 1-7.1b (November 1, 1981), incorp. by ref., 41 C.F.R. § 101-7.003 (1983), the cost of a motel room is considered an expense included as part of the per diem allowances or as part of actual subsistence expense reimbursement. In this regard the traveler is normally responsible for reserving and paying for his own lodging. However, when hotel reservations are contracted for by the Government, but travel is cancelled too late to permit cancellation of the reservation without incurring a penalty, the Government is liable to pay for the unused rooms. Colonel Gerald S. Griffith and Major Richard L. Stamm, B-192767, May 3, 1979. In that case and in similar cases the reservations were made by the Government directly, and the employees who used the accommodations were not a party to the transaction.

Also, we have allowed payment to Government travelers for the cost of hotel rooms they have rented but because of unforeseen circumstances could not use. Milton J. Olsen, 60 Comp. Gen. 630 (1980). In that case we held that regardless of entitlement to per diem or actual subsistence expenses, the cost of unused lodgings may be paid as a travel expense if it is determined that the lodgings were not used because of a change in government requirements.

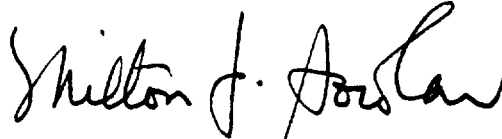
In this case the claimant acted in a reasonable manner and in her official capacity when she made the lodging reservations. Under Griffith and Stamm, supra, the Government would pay the cost of the unused reservation if the travel involved had been cancelled. Here although the travel was not cancelled, the lodgings were not needed due to the actions of the Government's invited guest who, although advised of the availability of these lodgings, chose to stay elsewhere apparently at no cost to the Government.

CONCLUSION

Under the decisions discussed travel funds are available to pay for the cost of rooms which are not used

B-214204

due to a change in Government requirements, if the individual or the Government reserved the room and was not able to cancel the reservations without incurring a charge. Here although travel was not cancelled, there was a change in Government requirements since the invited guest chose not to use the accommodations in question. Since Ms. Velilla acted within the scope of her responsibility and in a reasonable manner in reserving the room, thus insuring its availability for use of the Government invitee, and since the need for the room was negated by the action of the invitee without notification to the Government, we find that travel funds are available to reimburse Ms. Velilla for the cost she incurred to insure the availability of the room in these circumstances.

A handwritten signature in cursive script, reading "Milton J. Fowler".

Acting Comptroller General  
of the United States