



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: John A. Park - Travel Expenses - Use of
Prize - Combined Personal and Official Travel

File: B-227468

Date: March 11, 1988

DIGEST

An employee combined official travel with a personal trip and used a prize won by his wife to cover most of the cost of the travel, the rest of which he paid himself (\$79). He seeks reimbursement for the cost of a round-trip government fare (\$278) representing the official travel. The government has no obligation to reimburse the employee for the constructive cost of travel where no actual travel expenses are incurred. Since the official travel was combined with a personal trip, the employee may only be reimbursed to the extent that his actual expenses do not exceed the cost which would otherwise have been incurred had only official travel been performed. Accordingly, the employee may be reimbursed the \$79 he paid.

DECISION

This decision is in response to a request by Mr. Jerry A. Fries, Authorized Certifying Officer, Bureau of Land Management (BLM), Department of the Interior, reference 1382 (822), for an opinion as to the propriety of paying Mr. John A. Park, a BLM employee, for his use for official travel of an airline ticket which was a prize won by his wife. For the reasons stated below, we conclude that Mr. Park may be reimbursed only for the amount of his actual out-of-pocket expenses, namely \$79.

BACKGROUND

In 1986, Mr. Park and his wife, who reside in Havre, Montana, had planned a trip to San Francisco, California, which was postponed due to a death in the family. This trip was a prize constituting a free trip for two and was won by Mr. Park's wife.

In January 1987, Mr. Park was notified that he would have official training in Reno, Nevada, and he decided to combine

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this travel with a trip to San Francisco for him and his wife. The trip was partially financed with the credit that had been set up for the Parks' planned 1986 San Francisco trip. Mr. Park had to pay an additional \$79 out of his pocket for his ticket.

Mr. Park is claiming reimbursement for \$278, the cost of round-trip government coach fare from Great Falls, Montana, to Reno, Nevada. Mr. Park feels that had he not used his wife's prize for his travel to Reno, the government would have paid for his airfare. Therefore, he is requesting payment for the airfare related to his official travel but which was paid for by his wife's winnings.

The agency notes that prior decisions of the Comptroller General state that the government is not obligated when expenses are not incurred. Joel R. Zaiantz, 65 Comp. Gen. 182 (1986); Bob McHenry, B-184092, Sept. 29, 1975. The agency believes that these decisions would preclude the payment of the \$278 since that amount was not paid by Mr. Park. However, BLM further notes that Mr. Park did have an out-of-pocket expense of \$79 for his ticket. The agency questions whether Mr. Park is entitled to all or part of the \$79 paid for his ticket, since the trip was partially personal.

OPINION

The controlling statutory provisions regarding reimbursement for travel and subsistence expenses of civilian employees are contained in sections 5701-5709 of title 5, United States Code, the purpose of which are to relieve employees from the payment of the expenses of their travel to perform official government business. However, we have generally held that, where no actual travel expenses are incurred by the employee, the government has no obligation to reimburse the employee for the constructive cost of the travel. Zaiantz, cited above, and cases cited therein.

In Zaiantz, an employee had been issued a Miscellaneous Charge Order (MCO) by an airline when, while on official travel, his return flight was overbooked and he voluntarily vacated his seat. When the employee was later authorized official travel from Baltimore, Maryland, to Denver, Colorado, and San Francisco, California, he used the MCO

(determined by GAO to belong to him) to purchase an airline ticket for a personal side trip from San Francisco to Ft. Lauderdale, Florida. His return trip to his permanent duty station was included in the segment paid by the MCO. The employee then filed a voucher for reimbursement for the cost of the unused portion of the official airline ticket, contending that the MCO was issued to him personally for use on a standby basis. In holding that the voucher may not be certified for payment, we stated:

"While it is true that Mr. Zaiantz used the MCO issued to him personally to pay, not only for his personal trip to Ft. Lauderdale, but also for his return trip to Baltimore, the fact remains that he did not personally incur or pay for any expenses of travel in returning to Baltimore. It follows that since no travel expenses were incurred by Mr. Zaiantz for his return trip to Baltimore, the government has no obligation to reimburse him for the cost of the return travel. . . ." Id. at 65 Comp. Gen. 184.


In this case, the situation is similar to that of Mr. Zaiantz. By using the prize won by his wife, Mr. Park did not incur as an expense the \$278 he is claiming. Therefore, the government has no obligation to pay him for the complete cost of round-trip travel from Great Falls to Reno.

Regarding the \$79 cost Mr. Park did incur as a result of his travel, the agency questions whether this amount should be prorated to take into account the fact that part of the trip was for personal reasons.

We have held on numerous occasions that when personal and official travel is performed, we will not require that the expenses of such transportation be prorated unless the overall cost exceeds that which would otherwise have been incurred had only official travel been performed. In our decision, B-178535, June 21, 1973, an employee traveled to the Soviet Union, and the regular airfare for that trip would have been \$837.40. The employee chose to take annual leave in Europe following the completion of his duties in the Soviet Union, and, as a result, he was able to qualify for a special excursion fare of \$639.20. We held in

B-178535 that he was entitled to the full \$639.20 even though part of the travel covered by that fare was personal. See also Richard B. Gentile, B-188689, Feb. 7, 1978; B-167183, July 23, 1969, sustained Dec. 19, 1969.

In this case, inasmuch as the amount of Mr. Park's out-of-pocket expense, \$79, is less than the cost of the round-trip government coach fare from Great Falls to Reno, \$278, we are of the opinion that Mr. Park is entitled to reimbursement of the \$79.

for 
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