

Comptroller General
of the United States
Washington, D.C. 20548

Decision

CP

Matter of: J. David Blanchet
File: B-246270
Date: May 19, 1992

DIGEST

An employee of the Forest Service agreed to attend an agency training session at his own expense due to his supervisor's mistaken belief that funds were not available to pay for the employee's travel. The supervisor subsequently learned that funds had been available and has now requested that the employee be paid his travel expenses. The agency is advised by the General Accounting Office that it may approve payment of employee's travel expenses at this time.

DECISION

An Authorized Certifying Officer of the Forest Service, Department of Agriculture, requests a decision as to whether the travel voucher of Mr. J. David Blanchet may be certified for payment.¹ We find that the Forest Service has the authority to certify it for payment.

Mr. Blanchet is an employee of the Forest Service, stationed at the Chugach National Forest, Anchorage, Alaska. The Washington, D.C. Office of the Forest Service sponsored a training session on rivers and operational hydrology in Pagosa Springs, Colorado, over a 2-week period in August and September 1990. It contacted field offices for the names of employees who would attend. Mr. Blanchet and a number of employees from other areas were selected.

A travel authorization was issued, but before travel occurred, the Forest Supervisor of the Chugach National Forest orally notified Mr. Blanchet that his approval to attend the workshop was canceled because of an anticipated lack of travel funds. The Forest Supervisor informed him that he could still attend the training session at his own

¹Mr. Darold D. Foxworthy, REF: 6540.

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expense. Mr. Blanchet decided to do so and paid all of his own travel expenses.

After Mr. Blanchet completed the training, his Supervisor learned that travel funds had been available to reimburse Mr. Blanchet for his expenses while attending the training session. The Supervisor has requested that Mr. Blanchet be paid his actual travel and transportation expenses and, since Mr. Blanchet used cash in excess of \$100 to purchase passenger transportation, that such reimbursement be approved as required by 41 C.F.R. § 101-11.203-2 (1991).

The Authorized Certifying Officer has submitted this matter for a decision by our Office. His concern is that the Forest Supervisor's request may be considered as a request for retroactive modification of travel orders.

It is well established that legal rights and liabilities in regard to travel allowances vest as and when travel is performed under competent orders. In general, such orders may not be revoked or modified retroactively so as to increase or decrease the rights and benefits that have become fixed under the applicable statutes and regulations. 54 Comp. Gen. 638 (1975).

Here, however, we are not concerned with an attempt to retroactively modify an original travel authorization. There was no travel authorization when Mr. Blanchet traveled to Colorado, and the question is whether his travel expenses may be approved for payment even though the travel was performed without an authorization being issued in advance.

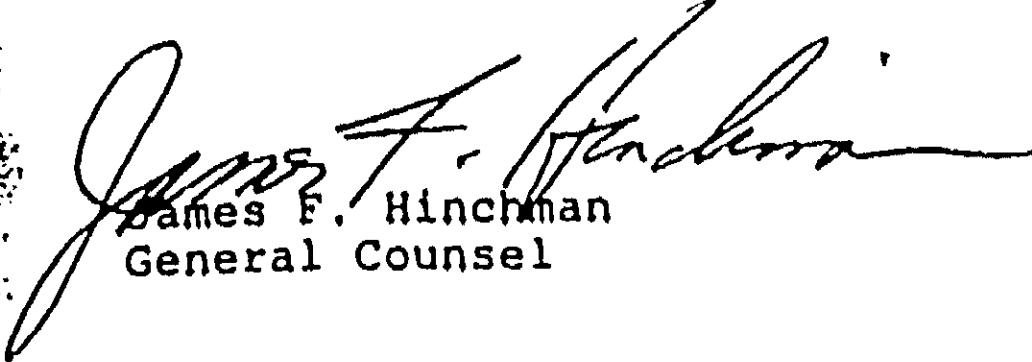
The Forest Service's own regulations permit post-approval of travel under certain circumstances.² These regulations specifically refer to our decision, 41 Comp. Gen. 574 (1962), in which we recognized that, if travel expenses are otherwise allowable, they may be paid by the government if they are approved after the performance of travel. 41 Comp. Gen. 574, 576, supra. Other decisions of our Office, under various circumstances, have permitted post-approval of travel or relocation expenses.³

²Forest Service Travel Regulation 1-1.4d, Forest Service Handbook (April 1938 ed., Supplement 7).

³See e.g., 50 Comp. Gen. 647 (1971), 29 Comp. Gen. 526 (1950) and 26 Comp. Gen. 843 (1947).

Accordingly, the Forest Service is authorized to approve Mr. Blanchet's travel expenses for attending the training session, if the agency determines that such approval is appropriate.

We are returning Mr. Blanchet's voucher to the Forest Service for action consistent with this decision.


James F. Hinchman
General Counsel

CIVILIAN PERSONNEL

Travel
Temporary duty
Travel expenses
Reimbursement

CIVILIAN PERSONNEL

Travel
Travel expenses
Voluntary expenditure
Reimbursement