



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

McLannan 14-66579

Decision

Matter of: Patricia A. Pierce
File: B-246829
Date: May 18, 1992

DIGEST

Fees for child care are not reimbursable expenses in connection with an employee's travel or relocation since neither the governing statutes nor the Federal Travel Regulation authorize such an entitlement.

DECISION

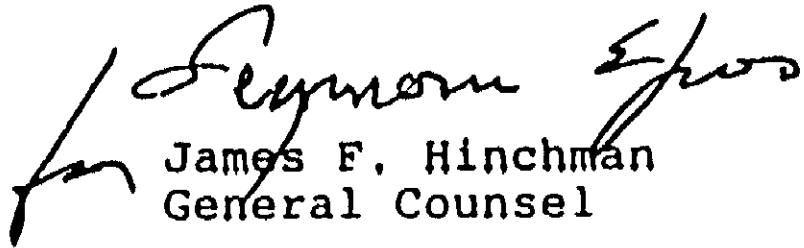
Ms. Patricia A. Pierce, an employee of the Federal Aviation Administration, appeals our Claims Group's settlement which denied her claims for child care expenses while on temporary duty away from her permanent duty station on three occasions.¹ For the following reasons, we affirm our Claims Group's settlement and deny her claims.

On appeal, Ms. Pierce contends that when she has to travel on temporary duty, especially when her agency gives her very short notice, the extra expenses that she incurs for child care (but not the ordinary day care expenses) should be considered reimbursable as essential to the transacting of official business since she would not have incurred these extra expenses but for her temporary duty assignments.

Title 5 U.S.C. § 5706 (1988) authorizes the payment of only actual and necessary expenses incurred by government employees traveling on official business away from their permanent duty stations. Implementing this statute, the Federal Travel Regulation (FTR), 41 C.F.R. § 301-9.1 (1991), authorizes the payment of miscellaneous expenses which may be incurred by employees in the performance of their duties. Section 301-9.1(e) also allows agencies to approve other miscellaneous expenses not enumerated in 41 C.F.R. § 301-9.1(a) to (d), but only when "necessarily incurred by the traveler in connection with the transaction of official business. . . ." See also 41 C.F.R. § 301-1.3(b) (1991).

¹Settlement Certificate Z-2867224, Oct. 17, 1991.

Our decisions have clearly held that fees for child care are not reimbursable expenses in connection with an employee's travel or relocation since neither the governing statutes nor the FTR authorize such an entitlement. William D. Fallin, B-210468, Apr. 12, 1983, and cases cited therein.


James F. Hinchman
General Counsel