

21 August 1947

MEMORANDUM FOR MR. ROBY READ

STATINTL

Subject: Travel Expenses of [REDACTED]

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1. From your telephone inquiry, we understand that while [REDACTED] was on proper annual leave, he was ordered to return to Washington, his official station, for temporary duty, and allowed to return to his place of leave on four different occasions. A study of the published Decisions by the Comptroller General indicated that no reimbursement could be made for the travel expenses involved. In certain of the later cases, however, particularly 16 C.G. 481, and 25 C.G. 347, some aspects of the earlier rulings were qualified in view of the provisions of the Act of March 4, 1935, which transformed leave of Government employees from a privilege to a legal right. The cited cases, however, involve temporary duty while on leave to places other than the official station and did not indicate that travel between place of leave and the official duty station would be paid for by the Government.

2. The unpublished Decision of the Comptroller General A-96481 does however, clearly overrule the earlier decisions concerning circumstances similar to those in [REDACTED] case. Since this unpublished decision is mentioned with approval in 25 C.G. 347, we believe it constitutes the current ruling of the Comptroller General on this point. The ruling, as stated in the opinion, is

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"However, where the leave is not terminated, the employee is only required to return to headquarters for temporary official business, and then permitted to resume his leave status at the place where the leave was interrupted, he may be reimbursed for the expenses of the round-trip to and from headquarters, net in excess of the lowest first class fare by rail."

3. We believe, that where properly authorized in advance for the convenience of the Government, air travel might now be included in the above ruling. If these facts fit the circumstances of Mr. [REDACTED] travel, he may be reimbursed accordingly. We feel however, that it should be brought to the attention of the administrative officer concerned, that such recalls, particularly when repeated, as in [REDACTED] case, put the Government to considerable additional expense and should be fully justified by showing that the results required could not be accomplished by telephone, or correspondence, or by delaying action until the expiration of leave.

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LAWRENCE H. HOUSTON