



**Comptroller General
of the United States**

Washington, D.C. 20548

B-258216

July 27, 1995

Mr. Larry R. Jeffery
Chief, Travel Division
Defense Finance and Accounting Service
P.O. Box 182317
Columbus, OH 43218-2317

Dear Mr. Jeffery:

We refer to your letter dated May 20, 1994, with enclosures (your reference DFAS-CO-LT), concerning the claims of Ernestine E. Thompson and Wayne K. Thompson to be reimbursed for travel expenses incurred incident to the issuance of invitational travel orders to them to attend a ceremony honoring Dr. J. Dana Thompson, deceased.

The late Dr. Thompson, an eminent oceanographer, had been employed at the Naval Oceanographic Office, Naval Research Laboratory, Stennis Space Center, Mississippi. In 1993, the American Geophysical Union, a private scientific society, planned a tribute to Dr. Thompson at its February 1994 Ocean Science Meeting in San Diego, California. A ceremony honoring Dr. Thompson and his work, much of which was done while employed by the Naval Research Laboratory, was to be included. The agency determined that it would be appropriate for a member of his family to be present. Since Dr. Thompson's father was ill and his mother was unable to travel alone, the Naval Research Laboratory invited Dr. Thompson's brother to accompany his mother to the meeting, both to travel at government expense.

On February 16, 1994, the head of the Oceanography Division approved invitational travel orders to Ernestine E. Thompson and Wayne K. Thompson, authorizing airfare from Charlotte, North Carolina, to San Diego, per diem and car rental expenses. While no amounts were advanced for lodging or subsistence, their airline tickets were purchased for them with Navy funds. The Thompsons traveled to San Diego, attended the tribute session for Dr. Thompson, and received a presentation honoring Dr. Thompson and his work. You advise that the travelers acted in good

faith in performing the travel and incurred out-of-pocket expenses that they believed would be reimbursed.

The Thompsons may not be reimbursed their out-of-pocket costs. While travel under invitational travel orders may be authorized for members of an employee's immediate family to attend federal awards ceremonies where the employee is the recipient of a departmental or governmentwide award, Sharon S. Rutledge, 69 Comp. Gen. 38 (1989), we are not aware of any legal basis upon which agencies may authorize individuals who are not government employees to travel at government expense to private awards ceremonies or other types of nonfederally sponsored functions. Although the Thompsons incurred travel expenses in the belief that their expenses would be reimbursed, the Navy officials involved could not change the applicable law and we may not authorize reimbursement of unauthorized expenses. Office of Personnel Management v. Richmond, 496 U.S. 414, 419 (1990).

While the Navy's purchase of airline tickets for the Thompsons was also unauthorized, under the circumstances we would not object if the Navy does not attempt to collect the cost of the tickets from the Thompsons. See 4 C.F.R. § 104.3(c) and (d) (1995).

Sincerely yours,

/s/ Seymour Efros
for Robert P. Murphy
General Counsel

cc: Ms. Linda G. Williams
Deputy Disbursing Officer
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