

Golden
24439

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

FILE: B-210556

DATE: March 7, 1983

MATTER OF: Equal Employment Opportunity Commission--
Use of Travel Agents by Dallas Office

DIGEST:

The procurement of transportation through group arrangement by a travel agent is authorized under Federal Travel Regulations, paragraph 1-3.4b, which is an exception to the general restriction against the use of travel agents for procurement of official Government travel; see 4 C.F.R. § 52.3 (1982), where an agency determines prior to the travel that the use of reduced fares results in monetary savings to the Government and is advantageous to the Government.

A certifying officer of the Equal Employment Opportunity Commission (EEOC) requests our opinion on whether payment of two purchase orders is proper. These purchase orders were issued to cover the purchase of airline tickets through a travel agent for witnesses testifying for EEOC in court proceedings in Tulsa, Oklahoma. EEOC advises that the purchase orders were issued to the travel agency under an EEOC memorandum which advised EEOC contracts division that:

"* * * appropriate use of travel agents and/or Purchase Orders for authorizing * * * travel * * * will result in both a reduction in paperwork, travel vouchers to be processed and * * * will help reduce the costs in * * * Travel."

The EEOC memorandum referenced our decision in Equal Employment Opportunity Commission--Use of Travel Agents, B-201258, December 10, 1980. In that decision, we determined that although EEOC made the finding after the travel was performed, since EEOC did determine that use of reduced fares in that case resulted in monetary savings to the Government and was advantageous to the Government, the procurement of the transportation through a group arrangement made by a travel agent was authorized under Federal Travel Regulations (FTR), paragraph 1-3.4(b), which is an exception

024796

to the general restriction against the use of travel agents for procurement of official Government travel. See 4 C.F.R. § 52.3 (1982).

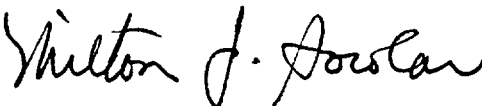
In that decision, we explained that, with respect to civilian employees of the United States, paragraph 1-3.4(b) of the FTR publishes provisions relating to the use of reduced fares offered by the carriers and by the travel agents. Subparagraph (1) provides for the use of the lower fares offered by the carriers when it can be determined prior to the start of the trip that such services are practical and economical to the Government. Subparagraph (2) authorizes the use of group or charter fares sold by travel agents when such use will not interfere with the performance of official business. However, an administrative determination is required prior to the travel that the use of the reduced fares will result in a monetary savings to the Government and will not interfere with the conduct of official business.

The EEOC certifying officer apparently is concerned that our prior decision to EEOC is limited to the facts and is not a more general precedent for the use of travel agents. Although the decision covered a specific case--use of travel agents where the required administrative determination approving the use of travel agents was not made prior to travel--as noted in that decision, the FTR's and prior decisions of this Office permit use of group or charter fares offered by travel agents where such use will not interfere with the performance of official business, and an administrative determination is made before the travel is performed that the use of these reduced fares will result in monetary savings to the Government. Equal Employment Opportunity Commission--Use of Travel Agents, supra; FTR paragraph 1-3.4(b); see also 47 Comp. Gen. 104 (1967); Office of United States Trade Representative, B-201429, December 30, 1980. Here, before the travel was performed, the required administrative determination was made.

On March 10, 1981, prior to the issuance of the purchase order, the EEOC District Director made an administrative determination that procuring the airline

tickets for the 17 witnesses from a travel agent instead of airlines would save EEOC \$378.83. The Director's memorandum states that use of the travel agent would not interfere with the conduct of official business and was advantageous to the agency mission by, for example, helping to assure that the witnesses for the EEOC lawsuit would arrive on time. The memorandum also points out an additional saving of \$163 because EEOC did not have to use its own personnel to arrange the travel.

Since EEOC complied with the applicable FTR paragraph 1-3.4(b), as interpreted by our Office, we have no objection to EEOC reimbursing the travel agent for the cost of the tickets if the invoices are otherwise correct.

for 
Comptroller General
of the United States