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B-139173 June 2, 1959

Number: B-139173

Date: 1959-06-02

B-139173 June 2, 1959

Mr. Forrest H. Cadiz: Director of Recreation Activities Headquarters, 340th Air Base Group United States Air Force Whiteman Air Force Base, Missouri

Dear Mr. Cadiz:

This refers to your letter of March 7, 1959, requesting reconsideration of our settlement dated February 19, 1959, which disallowed your claim for mileage, per diem, and related expenses in connection with your travel from Whiteman Air Force Base, Missouri, to Topeka, Kansas, and return, performed April 8 - 11, 1958, while a civilian employee of the United States Air Force, Whiteman Air Force Base, Missouri.

The records available here show that the Whiteman Air Force Base was notified by Headquarters, Eighth Air Force Message DPSS 20290, dated February 27, 1958, that a midwest regional recreation conference was scheduled by the National Recreation Association to be held at Topeka, Kansas, April 8-11, 1958. That message read, in pertinent part, as follows:

"* * * IT IS RECOMMENDED THAT CONSIDERATION HE GIVEN TO ATTENDANCE * * * BY THE BASE RECREATION SUPERVISOR, SERVICE CLUB DIRECTOR AND SPECIAL SERVICES OR PERSONNEL SERVICES OFFICER AT EACH BASE. ITEMS OF INTEREST TO THE ARMED FORCES WILL BE DISCUSSED AND THERE WILL BE OPPORTUNITY FOR PROFESSIONAL STIMULATION AND GROWTH THROUGH MEETINGS WITH MUNICIPAL, STATE, INDUSTRIAL AND NATIONAL RECREATION LEADERS * * * PARAGRAPH 1 OF afr 30-23 24 SKPT 57, OUTLINES PROCEDURES OF ATTENDANCE AT SUCH MEETINGS WITHOUT LOSS OF LEAVE, IF THERE IS NO OTHER EXPENSE TO THE GOVERNMENT."

Paragraph 1d of Air Force Regulation No. 30-23, dated September 24, 1957, provides:

"Personnel may also attend meetings without loss of leave, if there is no other cost to the Government and attendance is in accord with Air Force policy. Military personnel will be covered by permissive orders; civilian personnel by written approval of their supervisor."

At the time you performed the involved travel paragraph 12, section II, chapter 3, of Air Force regulations (Air Force Manual 40-10, dated September 1, 1953), read, as follows:

"12 Attendance of Non-Federal Group Activities

"a. Prior approval Requirements. Travel, transportation, and certain other expenses for employees incident to attendance at meetings of technical, scientific, professional, or other similar organizations, may be authorized subject to prior approval by the Secretary of the Air Force in accordance with policy and requirements in AFR 11-8.

"b. Submission of Requests for Approval.

"AF Form 674 'Individual Request for attendance at Meetings of Technical, Scientific, Professional and Other Similar Organizations,' is prescribed for requesting and approval purposes. Attendance at meetings of this type requires full justification and careful consideration of necessity. Advance planning and scheduling before travel is to begin is required to allow for 21 calendar days after a request from an installation reaches the major air command headquarters concerned for processing for approval consideration."

The above-quoted regulations are in accord with section 605 of the Department of Defense Appreciation Act of 1954, 67 Stat. 349, which provides:

"Hereafter, appropriations for the Department of Defense available for travel shall not be available for expenses incident to attendance at meetings of technical, scientific, professional, or other similar organizations without the approval of the Secretary of the department concerned, or his designee for the purpose."

As alleged by you our information discloses that the administrative offices advanced you the sum of $60, and that you performed the travel in question after the receipt of order No. 0-11, dated April 3, 1958, issued by the 340th Bombardment Wing (M), Whiteman Air Force Base, Missouri, Payment of your claim for mileage, per diem, and related expenses has been denied since advance approval for such travel at Government expense was not obtained as reuqired by the applicable regulations. Prior to our release of the above-mentioned settlement the matter was referred to the administrative office for its consideration, and paragraph 3 of the report dated January 27, 1959, received from the Air Force Accounting and Finance Center, United States Air Force, Denver, Colorado, dated January 27, 1959, reads:

"In view of the above cited regulation, favorable consideration of the claim is not recommended. Alternative procedure set forth in AFR 30-23 for prior approval of such travel at Government expense was not complied with. The claimant contends that prior approval was not obtained because of insufficient time. The above cited message was received at Whiteman Air Force Base, Missouri on 28 February 1958 and travel began on 8 April 1958. Since the approving authority in this instance is the Commander, Strategic Air Command, Offutt Air Force Base, Nebraska, it would appear that lack of time is not a factor that is proper for consideration in connection with the claim." (Underscoring supplied.)

In the circumstances, we find no basis for the allowance of your claims. Consequently, the settlement of February 19, 1959, must be and is sustained.

Very truly yours,

Joseph Campbell Comptroller General of the United States