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B-238612, Apr 16, 1990

Number: B-238612

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B-238612, Apr 16, 1990

MILITARY PERSONNEL - Travel - Temporary duty - Travel expenses - Reimbursement - Fines DIGEST: This summary letter decision addresses well established rules which have been discussed in previous Comptroller General decisions. To locate substantive decisions addressing this issue, refer to decisions indexed under the above listed index entry.

Lieutenant William A. Guderian, USAF:

The issue in this case is whether Lieutenant William A. Guderian, USAF, may be reimbursed $165 for costs he incurred for two parking tickets, towing and storage charges. The fines and charges were incurred for parking his automobile on a street near his home in excess of 48 hours in violation of a municipal parking ordinance. He contends that the Air Force is responsible since his temporary duty of 2 days was extended to 22 days so that he was prevented from moving his automobile before the authorized time had expired. Our Claims Group denied his claim on the basis that the costs were not incurred as part of the member's official duties.

We have consistently held that appropriated funds cannot be used to pay for an offense committed by a member while in the performance of, but not part of his official duties. See 31 Comp.Gen. 246 (1952); B-173660, Nov. 18, 1971. Such fine or forfeiture of collateral is imposed upon the employee or member personally and payment is his personal responsibility. Therefore, even if Lieutenant Guderian had used his automobile in the performance of his official duties, there would be no basis for allowing his claim. Accordingly, we sustain the Claims Group's denial of Lieutenant Guderian's claim.