

DECISION



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

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FILE: B-166802

DATE: JUN 13 1975

MATTER OF: Payment of travel expenses for family members
of honor award recipients

DIGEST: There is no authority for the Civil Service Commission to issue regulations authorizing the payment of travel and transportation expenses of members of the immediate family of honor award recipients to attend award ceremonies as such expenses are not considered a "necessary expense" under 5 U.S.C. § 4503.

The Chairman of the United States Civil Service Commission requested a decision as to whether authority within the law exists for the heads of agencies to incur costs of travel and transportation expenses for family members of honor award recipients under the "necessary expense" provision of 5 U.S.C. § 4503.

Title 5, U.S.C. § 4503 (1970), provides that:

"The head of an agency may pay a cash award to, and incur necessary expense for the honorary recognition of, an employee who—

"(1) by his suggestion, invention, superior accomplishment, or other personal effort contributes to the efficiency, economy, or other improvement of Government operations; or

"(2) performs a special act or service in the public interest in connection with or related to his official employment."

The above-cited statute authorizes the head of an agency to pay cash awards to and incur necessary expenses for the honorary recognition of civilian officers and employees of the Federal Government.

Since it is stated that the Civil Service Commission's regulations and guidance materials do not address the matter of "necessary expense for the honorary recognition of an employee," the determination as to what expenses may be authorized for this purpose has been left to the discretion of agency heads. For this

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reason, the Commission from time to time receives inquiries as to whether the cost of travel and transportation expenses for family members of honor award recipients can be authorized by an agency head under the "necessary expense provision of the law." The Commission has been requested to issue an appropriate regulation to specifically authorize travel expenses for family members of honor award recipients.

In 32 Comp. Gen. 134 (1952) the question arose as to whether field employees of the Department of the Interior may be reimbursed travel and miscellaneous expenses incident to the presentation to them of the Department's Distinguished Service Award at Department convocations held in Washington, D.C. The provisions of section 14 of the Act of August 2, 1946, applicable in 1952, authorized awards for meritorious service and are similar to those contained in 5 U.S.C. § 4503.

In interpreting the phrase "to incur necessary expenses" with regard to travel expenses, it was stated that travel and miscellaneous expenses incurred by officers and employees for the purpose of participating in ceremonies held at a Department convocation in honorary recognition of exceptional or meritorious service under the incentive awards program authorized by section 14 of the Act of August 2, 1946, as amended, may be considered a direct and essential expense of the award, and within the scope and meaning of the phrase "to incur necessary expenses" as used in the statute. However, since members of the family are not directly related to the presentation of the award, we do not consider the expense of travel of members of the family to attend the award ceremony to be a direct and essential expense of the award.

Therefore, in the absence of express statutory authority, we conclude that the Commission may not issue regulations providing for the expenditure of funds to cover the cost of travel and transportation expenses associated with family attendance at award ceremonies.

R. F. KELLER

Deputy

Comptroller General
of the United States

