



**Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: Petty Officer First Class Robert C. Nelson--Claim for Reimbursement of Travel Expenses

File: B-261228

Date: November 8, 1995

DIGEST

The wife of a member was issued orders authorizing her to travel as an attendant to their daughter who required medical care not available locally. The orders authorized reimbursement for actual expenses for meals and lodging. Because of discrepancies in the amount of the claim and a complete lack of documentation of the amount spent, the claim is denied.

DECISION

This is in response to an appeal of a Claims Group settlement which denied the claim of Petty Officer First Class Robert C. Nelson for reimbursement of travel expenses incurred by his wife when she accompanied their daughter to Walter Reed Army Medical Center, Washington, DC, for medical treatment. We affirm the Claims Group's settlement.

When Petty Officer Nelson's daughter required medical treatment which was not available at Portsmouth Naval Hospital, Virginia, orders were issued authorizing Mrs. Nelson to accompany their daughter to Walter Reed as an attendant. The orders stated that Mrs. Nelson would be reimbursed for the actual expense of lodging and meals, not to exceed the per diem rate for the Washington area. Mrs. Nelson remained in the status of attendant from October 19, 1992, until February 26, 1993, when Petty Officer Nelson was transferred to the Washington area. When Washington became his duty station, no further reimbursement was authorized. Mrs. Nelson stayed with her mother for at least most of the period in question.

Following the Navy's recommendation, the Claims Group denied Petty Officer Nelson's claim for \$6,420. Of that amount \$4,000 was for food, \$160 for trips home to southern Virginia, \$600 for trips to the hospital, \$460 for hotels, \$850 for groceries for relatives, and \$350 for phone bills. Petty Officer Nelson provided no documentation for his claim. The amount claimed on appeal is \$4,348.50. Of

that amount \$2,982 is for food, \$1,027.50 for gasoline, and \$339 for parking. Petty Officer Nelson has provided no documentation other than a hand-written list of daily amounts for breakfast, lunch, dinner, gas, and parking.

The regulations governing medical attendants are in volume 1 of the Joint Federal Travel Regulations (JFTR), chapter 7, part Q. Paragraph 7553 of volume 1 of the JFTR provides for reimbursement of an attendant for the actual expenses incurred for food and lodging. The provision requires that itemized expenses claimed be supported by receipts or other documentation to the extent practical.

Petty Officer Nelson's original claim of \$6,420 was an estimate which was neither itemized nor documented. The amount claimed for food was \$4,000. Next to the \$850 grocery figure was a statement that Mrs. Nelson had moved in with relatives as of December 15, 1992, and had agreed to pay the family's grocery bill in lieu of rent. The Navy recommended denial of the claim for lack of documentation, and the Claims Group properly denied the claim. Receipts or similar proof of expenses are generally required for reimbursement. Lodging and meals provided by relatives are limited to the documented additional amount it cost the relatives to provide for the "guest." See Clarence R. Foltz, 55 Comp. Gen. 856 (1976).

Petty Officer Nelson now claims \$4,348.50. Of that amount, \$2,982 is for meals, and the rest is for gasoline and parking. Accompanying the claim is a purported receipt from Mrs. Nelson's mother stating that she received rent which totalled \$1,800 from the Nelsons beginning November 1, 1992, although that amount is not included in the claim. While receipts are not always required for every meal for such a reimbursement claim, it is our view that Petty Officer Nelson's claim cannot be allowed in the complete absence of documentation.

This Office must settle claims in accordance with applicable law and regulations. The JFTR require documentation of travel expenses. Moreover, under 4 C.F.R. § 31.7 the burden of establishing the liability of the United States to pay a claim is on the claimant. In the present situation Petty Officer Nelson has provided no documentation for his claim and therefore has not established the liability of the United States to pay it.

Therefore, Petty Officer Nelson's claim must be denied in the absence of any documentation to support it. The Claims Group's settlement is affirmed.

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