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Mr. Putnam

UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

OFFICE OF GENERAL COUNSEL

In Reply
Refer to: 198930(BRP)

June 10, 1981

Do not make available to public reading

Mr. Frederick A. Kalhammer
Acting Deputy Regional
Inspector General
Africa (East)
Agency for International Development
Box 232
APO New York 09675

Dear Mr. Kalhammer:

Reference is made to your letter of April 29, 1981, in which you state that as a result of our decision, Frederick A. Kalhammer, B-198930, April 6, 1981, your supplemental travel voucher for additional actual expense reimbursement, incident to your temporary duty in Zaire from January 24 to February 10, 1979, has been certified for payment and that you have received such payment.

You advise that payment was received more than two years after your supplemental voucher was originally filed with the Controller in Nairobi, Kenya. You state that inasmuch as our decision of April 6, 1981, did not take this time lapse into account in approving certification for payment on the basis of the previously applicable reimbursement rates in Zaire, a higher rate of per diem, we should amend our decision to include provision for payment of interest thereon.

It is well settled that the payment of interest by the Government on its unpaid accounts or claims may not be made except where interest is stipulated for in legal and proper contracts, or when allowance of interest is specifically directed by statute. United States v. Thayer-West Point Hotel Co., 329 U.S. 585 (1947); Smyth v. United States, 302 U.S. 329 (1937); Seaboard Air Line Railway Co. v. United States, 261 U.S. 299 (1923); United States v. North American Transportation & Trading Co., 253 U.S. 330 (1920); and Angarica v. Bayard, 127 U.S. 251 (1888). See also

[Request for Interest on Payment for Travel Expenses]

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58 Comp. Gen. 5 (1978); 54 Comp. Gen. 760 (1975); 53 Comp. Gen. 824 (1974); 53 Comp. Gen. 264 (1973); 45 Comp. Gen. 169 (1965); and James M. Bedore, B-189181, June 20, 1978, copies enclosed. We find no contractual or statutory provision that authorizes an award of interest with respect to your claim.

Therefore, there is no legal basis upon which this Office can authorize the payment of interest on the amount paid on your supplemental travel voucher.

Sincerely yours,

ROBERT L. HIGGINS

Robert L. Higgins
Assistant General Counsel

Enclosures