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

B-172094

APR 12 1972

Mr. Harold J. Farrall
Authorized Certifying Officer
United States Department of the Interior
Regional Office, Region 7
Building 20, Denver Federal Center
Denver, Colorado 80225

Dear Mr. Farrall:

Reference is made to your letter dated March 8, 1972, with enclosures, reference 7-360, requesting an advance decision as to whether a voucher in the amount of \$27.28 in favor of Mr. Gerald R. Latimer, an employee of the United States Department of the Interior, Bureau of Reclamation, may be certified for payment in view of the circumstances hereinafter alleged.

As stated in your letter of March 8, 1972, the record indicates that:

"In his claim Mr. Latimer is asking for mileage expense in lieu of the taxicab fare for travel involving him as a pilot on February 2, February 9, and February 10, 1972. There was no per diem involved on these days due to the short length of absence from his official duty station. He further claims mileage expense for travel involving him as a pilot for the period from 6:25 a.m., February 13, 1972 through 6:10 p.m., February 18, 1972. In each instance the mileage expense claims are for the round trip distance from his residence and Stapleton International Airport where the Bureau of Reclamation hangar is located.

"Mr. Latimer reports to this hangar, which is considered his office, for duty each day whether to fly as a pilot or co-pilot or for maintenance of the aircraft. On the days he does fly he must naturally report early enough to perform his normal pre-flight maintenance."

With regard to the claim here involved, you have asked the following questions:

"Is the mileage from his residence to Stapleton International Airport and return to his residence proper for payment on the

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days he flies as pilot or co-pilot? Should per diem allowance begin at the time he leaves his residence and end upon return to his residence?"

Office of Management and Budget (OMB) Circular No. A-7 (Standardized Government Travel Regulations), revised August 17, 1971, section 2.3d states:

"d. Between residence and office on day travel is performed. Reimbursement may be authorized or approved for the usual taxicab fares, plus tip, from the employee's home to his office on the day he departs from his office on an official trip requiring at least one night's lodging and from his office to his home on the day he returns to his office from the trip in addition to taxi fares for travel between office and carrier terminal." (Emphasis added.)

This section is apparently serving as the basis for Mr. Latimer's mileage claim in conjunction with section 4.2c(2) of OMB Circular No. A-7 which states:

"(2) Round trip when in lieu of taxi between residence and office on day of travel. In lieu of the use of taxicab under 2.3d payment on a mileage basis at the rate of 11 cents per mile and other allowable costs as set forth in 4.1c will be allowed for round trip mileage of a privately owned automobile used in connection with an employee going from his residence to his place of business or returning from place of business to residence on a day travel is performed. However, the amount of reimbursement for the round trip will not exceed the taxicab fare, including tip, allowable under 2.3d for a one-way trip between the points involved." (Emphasis added.)

Pursuant to the above-quoted sections, in order for Mr. Latimer to receive reimbursement for mileage expense in lieu of taxicab fare between his residence and duty station, he must have departed "from his office on an official trip requiring at least one night's lodging * * *." (Section 2.3d supra.) (Emphasis added.)

Therefore, of the 248 miles for which Mr. Latimer seeks reimbursement, only the 62 miles which he traveled incident to the February 13 through February 18, 1972, trip would qualify as reimbursable mileage if properly

At least one night's lodging and termination of the trip

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approved at this time. We assume his travel order (copy not forwarded here) did not contain any prior authorization to that effect. The prior mileage claimed was not the result of official trips which required one night's lodging inasmuch as the record has shown that such trips began and terminated the same day.

As to when per diem in lieu of subsistence should begin on February 13 and end on February 18, 1972, we note that section 6.6e of the Standardized Government Travel Regulations now state that per diem begins at the time an employee leaves his home without regard to the fact that he may be en route to a common carrier terminal. Compare section 6.9c of the former regulations. Thus, if mileage is approved for Mr. Latimer on February 13 and February 18, 1972, our view is that his per diem would begin from the time he left his home and would end when he returned thereto. Of course that conclusion is not to be understood as entitling an employee to per diem when he performs substantial official duty (one hour or more) at his office before his final departure or upon his return thereto. Here, the duty performed by the employee prior to departure was related to his acting as pilot or co-pilot of the airplanes and may be disregarded.

The voucher, with supporting papers, is returned herewith for handling in accordance with the foregoing.

Sincerely,
R. F. KELLER

Deputy Comptroller General
of the United States

Enclosure