

DECISION

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

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FILE: B-181355

DATE: July 29, 1974

MATTER OF: Mileage for two automobiles incident to transfer

DIGEST:

Although authorization was denied for the use of two privately owned vehicles to transport a family of four and their luggage incident to the transfer of an employee from Kennewick, Washington, to Germantown, Maryland, voucher for additional mileage based on such use may be certified, if administratively approved, since Federal Travel Regulations, FPMR 101-7, chapter 2, permit approval of such mileage allowance subsequent to a change of station.

This action is taken pursuant to a request for a decision as to whether administrative approval may be made for the use of a second automobile incident to the transfer of Dr. T. A. Nemzek, an employee of the Atomic Energy Commission (AEC), from Kennewick, Washington, to Germantown, Maryland, in August 1973.

The record indicates that a request for authorization to use a second car was denied. Accordingly, mileage at a rate of 12 cents for the use of one automobile was paid rather than 8 cents a mile for two cars. Dr. Nemzek has submitted a reclaim voucher for additional mileage. He justifies the use of the second automobile on the ground that the urgency of the AEC request that he change stations forced him to store his household goods prior to their shipment to Washington, D.C. As a consequence, Dr. Nemzek had to transport a large amount of baggage in his two automobiles. One automobile was a standard size Chevrolet Caprice and the other was a compact Vega. Dr. Nemzek claims that it would have been unreasonable for him, his wife, and his two sons, both being over 6-foot tall, to travel 2,500 miles in one car under such conditions. The agency submission asks (1) whether the above circumstances justify the use of the second privately owned vehicle, and (2) whether the use of the second vehicle can be approved administratively after the fact.))

Section 5724, title 5, United States Code, provides that under such regulations as the President may prescribe the head of the agency concerned, or his designee, may authorize payment of mileage allowance during a change of station. Implementing regulations are

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contained in the Federal Travel Regulations, FPMR 101-7, Chapter 2 of such regulations, section 2-2.3e(1), permits authorization for use of a second privately owned vehicle "if there are more members of the immediate family than reasonably can be transported with luggage in one vehicle." The determination under this regulation is primarily for determination by the administrative agency concerned. Unless such determination is clearly at variance with the facts, our Office will accept the factual determination of the administrative official regarding the reasonableness or unreasonableness of transporting an employee, his immediate family, and their luggage in one privately owned vehicle. CF, 38 Comp. Gen. 542 (1959); B-163939, May 8, 1968.

Section 2-1.3, FPMR 101-7, provides that the allowances under chapter 2 may be approved after the fact. In this connection an AEC regulation, AEC Appendix 1501, part VI, provides in pertinent part:

"* * * Under authority of 5 U.S.C. 5721, et seq., as amended, it is possible to subsequently approve travel and transportation expenses for change of station. (See AECM 1501-038 and -0312 for subsequent approval.) * * *"

In view of the above, if administrative approval for the use of two automobiles is reflected on the reclaim voucher, the additional allowance may be certified for payment if otherwise proper.

R.F.KELLER

Deputy
Comptroller General
of the United States

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