



FILE: B-184813

DATE: JUN 24 1976

61022

MATTER OF: Albert R. Hinn - Travel Expenses

DIGEST:

1. Employee, who had traveled to new duty station in advance of family and then returned to former duty station to drive two dependents to new duty station, may be reimbursed for mileage costs and tolls at rate prescribed for travel of two dependents under para. 2-2.3b of Federal Travel Regulations, as dependents were entitled to transportation at Government expense.
2. Employee who chartered air ambulance to transport son who was hospitalized from old duty station to new duty station may be reimbursed cost of charter as paragraph 1-2.2c(4) of Federal Travel Regulations permits use of special conveyances under limited circumstances and administrative approval was obtained prior to travel in accordance with para. 1-3.2a.

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Mr. Anthony J. Rudez, Jr., an authorized certifying officer with the National Oceanic and Atmospheric Administration, Department of Commerce, requests an advance decision as to the propriety of paying certain travel expenses of Mr. Albert R. Hinn. The expenses were incurred incident to a permanent change of duty station from Richmond, Virginia, to Wilmington, North Carolina.

The record shows that Mr. Hinn was issued Travel Order No. 20-5-W1A-347, dated December 18, 1974, for a permanent change of duty station from Richmond, Virginia, to Wilmington, North Carolina. The travel order authorized separate travel for the employee and his family by privately owned automobile. On January 5, 1975, Mr. Hinn traveled by automobile to his new duty station at Wilmington and moved into temporary quarters there. He has been reimbursed for travel costs incident to his travel and subsistence expenses while occupying temporary quarters in Wilmington through February 4, 1975.

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Mr. Hinn's travel order was amended by Travel Order No. 20-5-W1A-347, Amendment No. 1, dated February 24, 1975, to allow Mrs. Hinn, his son Albert, and a registered nurse to travel by chartered air ambulance. On March 1, 1975, Mr. Hinn, having returned to Richmond, drove his other two children to Wilmington. On the same day his wife, his son Albert, and a registered nurse flew to Wilmington in a chartered air ambulance.

The expenses for which an advance decision has been requested are (1) the mileage and toll costs for the trip by Mr. Hinn and two dependents, (2) the cost of the air charter, and (3) per diem for Mr. Hinn's family.

We first consider the mileage and toll costs of the trip on March 1, 1975, in a privately owned vehicle by Mr. Hinn and two dependents. The certifying officer states that the claim for mileage and toll costs was disallowed as Mr. Hinn had already made one trip from Richmond to Wilmington at Government expense.

The Federal Travel Regulations (FPMR 101-7, May 1973) at paragraph 2-2.3e provide for separate travel by an employee and his dependents including the use of two vehicles. The employee, as stated, has already been reimbursed for the cost of his transportation. However, the two dependents are still eligible for travel expenses. It is noted that the travel order dated December 18, 1974, provided that when the employee traveled by himself by privately owned automobile, he was entitled to reimbursement of 8 cents a mile. Members of the employee's family were entitled to 12 cents a mile, if they traveled separately. These mileage rates are in accordance with paragraph 2-2.3b of the Federal Travel Regulations. In addition, paragraph 2-2.3b provides that when an employee and one member of his immediate family, or when two members of his immediate family, travel by privately owned automobile incident to a transfer of station, the employee is entitled to reimbursement of 10 cents a mile. Since the employee's dependents are still eligible for travel expenses, Mr. Hinn is entitled to reimbursement for transportation at 10 cents a mile, plus tolls, for travel by privately owned automobile for his two dependents.

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With respect to expenses incident to the charter of an air ambulance to transport a sick dependent in connection with a permanent change of station, we note that chapter 2 of the Federal Travel Regulations, which governs relocation expenses, contains no provision providing for reimbursement of such an expense. However, paragraph 2-2.2a of the FTR makes the provisions of chapter 1 applicable to an employee's immediate family for allowable travel and transportation expenses not specifically provided for in chapter 2. Paragraph 1-2.2c(4) of the FTR permits the use of special conveyances when it is determined that other authorized methods of transportation would not be more advantageous to the Government.

The record in this case shows that special circumstances existed at the time of the transfer, in that the employee's son was moved from a hospital in Richmond to a hospital in Wilmington and was under medication during the trip. Furthermore, the use of a special conveyance was administratively approved in advance of travel as is required by paragraph 1-3.2a of the Federal Travel Regulations. Accordingly, since the travel regulations as applied to dependents permit the use of special conveyances, the circumstances justified use of a special conveyance, and administrative approval was obtained, the claim for reimbursement of the cost of the chartered air ambulance may be allowed.

Finally, we consider the claim for per diem for Mr. Hinn's four dependents. Paragraph 2-2.2b of the FTR authorizes the payment of per diem to an employee, his spouse, and dependents in connection with a permanent change of duty station. The record shows that the employee claimed 1/4 day per diem each for Mrs. Hinn and his three dependents. This claim is allowable under paragraph 2-2.2b.

Accordingly, the claim of Albert R. Hinn may be paid in accordance with the foregoing.

R. E. KELLER

Secretary

Comptroller General  
of the United States