

ms. Stine
PL-I# H292

DECISION



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

FILE: B-197360

DATE: July 15, 1980

MATTER OF: Merwin S. Dunham - [Mileage between home and
common carrier terminal]

DIGEST: Defense Department employee who moved his family 300 miles away from his permanent duty station prior to temporary duty overseas and who obtained bachelor quarters at his permanent duty station upon return to regular duty assignment may not be reimbursed mileage for round-trip travel between family's new residence and airport. Under FTR 1-4.2c, employee may be paid mileage for round-trip travel between the bachelor quarters--the residence from which he regularly commutes to work--and the common carrier terminal.

The issue presented is whether an employee may be reimbursed for mileage to and from the place of family domicile when returning or departing from temporary duty where the family resides 300 miles away from the employee's permanent duty station and the employee subsequently occupies bachelor quarters at the installation site. The answer is no.

The correspondence requesting an advance decision was forwarded to this Office by endorsement of the Per Diem, Travel and Transportation Allowance Committee dated January 4, 1980, and has been assigned PDTATAC Control No. 80-2.

The claimant, Mr. Merwin S. Dunham, is a civilian employee of the Department of the Army. Mr. Dunham terminated his lease for family housing at his permanent duty station at Dugway Proving Ground on May 31, 1979, while on leave status and moved his family 300 miles away to Cannonville, Utah. The claimant remained on leave (with the exception of two hours of work on May 31, 1979) until June 5, 1979, when he proceeded from Cannonville to Salt Lake City International Airport in compliance with temporary duty orders. On July 5, 1979, claimant returned from his temporary duty station in Grafenwohr, Germany, and proceeded directly to Cannonville from the Salt Lake City International Airport. Mr. Dunham returned to work at Dugway Proving Ground on July 16, 1979, and secured a bachelor dormitory room which he has continued to maintain.

In connection with his temporary duty travel to Germany as well as upon his return, Mr. Dunham claimed round-trip mileage of 530 miles for travel between his family's residence in Cannonville

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and the Salt Lake City International Airport. Based on the determination that Mr. Dunham did not regularly commute from Cannonville, his reimbursement was limited to round-trip mileage of 140 miles in each instance based on the distance between Dugway Proving Ground and the airport. His reclaim voucher is for mileage for the difference of 390 miles for round-trip travel on June 5 and July 6, 1979, between Cannonville and the Salt Lake City International Airport.

Under the following authority of para. 1-4.2c(1) of the Federal Travel Regulations (FTR) (FPMR) as amended by FPMR Temp. Reg. A-11, Supp. 5, effective April 1, 1978, an employee on temporary duty may be reimbursed for travel to and from a common carrier terminal:

"c. * * *

"(1) Round-trip when in lieu of taxicab to carrier terminals. In lieu of the use of a taxicab under 1-2.3c, payment on a mileage basis at the rate of 17 cents per mile and other allowable costs as set forth in 1-4.1c shall be allowed for the round-trip mileage of a privately owned automobile used by an employee going from either his home or place of business to a terminal or from a terminal to either his home or place of business. However, the amount of reimbursement for the round trip shall not in either instance exceed the taxicab fare, including tip, allowable under 1-2.3c for a one-way trip between the applicable points. "

Effective July 1, 1979, Supp. 8 increased the mileage rate to 18.5 cents per mile.

The above regulation is implemented in Volume 2 of the Joint Travel Regulations (2 JTR) applicable to civilian employees of the Department of Defense. Under 2 JTR para. 4657(1) (Ch. 155, 9/1/78 and Ch. 167, 9/1/79) an employee may be reimbursed for round-trip travel by privately owned vehicle between his "place of abode" and the common carrier terminal, limited to the usual cost of taxi fare between those points.

While neither the FTR nor the JTR specifically defines the terms "home" or "place of abode" as used in the cited regulations, those terms have reference to the residence from which an employee regularly commutes to work each day. Thus, in 55 Comp. Gen. 1323 (1976) we held that upon

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return from temporary duty, an employee whose family maintained a residence 103 miles from his permanent duty station in Oklahoma City was entitled to mileage based on the distance from the airport to Oklahoma City where he maintained a separate residence. Although we were later advised that the facts upon which the decision was predicated were not correct and the decision was revised in 57 Comp. Gen. 32 (1977) the rule stated was not changed. This is consistent with the definition of residence set forth at FTR para. 2-1.4i for the purpose of determining an employee's entitlements incident to transfer, and accords with the following general authority set forth at 2 JTR para. C2150 for travel by privately owned conveyance:

"C2150

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"The use of privately owned conveyance may be authorized or approved for employees or others rendering service to the Government when engaged on official business * * * . Privately owned conveyance may be authorized or approved as beginning or ending at the employee's place of residence from which he commutes daily to his permanent duty station or place where conveyance is garaged or stored if advantageous in performing the trip."

In the present case, Mr. Dunham never commuted to his duty station from Cannonville. He obtained a bachelor dormitory room upon resuming his duties at Dugway Proving Ground. Under these circumstances the claimant's residence for the purpose of computing mileage reimbursement was properly determined to be Dugway Proving Ground rather than Cannonville, Utah. Accordingly, Mr. Dunham's claim for additional mileage is denied.



For The Comptroller General
of the United States