



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

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B-156274

MAY 7 1965

Dear Mr. [REDACTED]

Your letter of February 22, 1965, requests reconsideration of our settlement of August 25, 1964, which disallowed your claim of \$156.40 representing the difference between the amount administratively found due you on a constructive basis via common carrier (rail) under your travel orders, \$457.98, and the amount claimed for per diem, mileage, and other expenses, \$614.38, for driving your car. You point out that the shipment of your automobile was disallowed or was not taken into consideration when the audit of your travel voucher was made and you ask how you would have gotten your car from Washington, D. C., to San Diego, California, if you had traveled by common carrier (rail).

Your Travel Authorization No. 4-65235 dated November 15, 1963, was issued only for the purpose of authorizing you and your dependent to travel from Washington, D. C., to San Diego, California, upon your retirement (disability) from the Foreign Service. These orders did not specify how you were to travel nor did they contain any authorization for the shipment of your automobile from Washington to San Diego. The record shows that you drove your automobile in performing the travel and reimbursement was allowed you upon a constructive basis covering transportation costs, miscellaneous expenses, and per diem not to exceed the cost by common carrier (rail). Such administrative action was required under the applicable regulations because no specific determination had been made that such travel by privately-owned vehicle was more advantageous to the Government. Concerning allowable transportation expenses 6 FAM 145.3 provided, in pertinent part, as follows:

"When no determination of advantage to the Government is made, reimbursement of transportation expenses may nevertheless be made on a mileage basis but is limited to constructive cost computed on the basis of the cost of travel by all the authorized travelers by minimum first-class accommodations on a surface common carrier * * *."

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Concerning allowable per diem based upon the train schedule administratively selected, 6 FAM 155c[✓] provided, in pertinent part, that:

"The part of the day at the beginning of the trip (from time of departure to midnight) and the part of the day at the end of the trip (from midnight to time of arrival) are totaled. If the total of the parts of days exceed 10 hours, one day's per diem is payable * * *."

6 FAM 156.2[✓] read, in pertinent part, as follows:

"For computing per diem allowances, official travel begins when the train * * * is scheduled to depart from its terminal and ends when it actually arrives at its terminal at the conclusion of a trip. * * *"

The references to 6 FAM 145.2-1[✓] and 165.1-a(1)[✓] in previous correspondence with you should not have been used since they were not applicable to the travel authorized in your case.

Based upon the travel authorization existing in this case we must conclude that you have received reimbursement of the full amount authorized to be paid by the Government for the travel involved and our disallowance of your reclaim for the \$156.40 administratively suspended must be sustained.

Very truly yours,

FRANK H. WEITZEL

Assistant Comptroller General
of the United States