

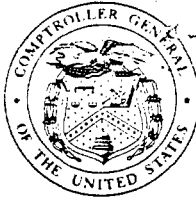
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DECISION



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

FILE: B-191857

DATE: December 28, 1978

MATTER OF: Reimbursement for
~~Dr. Stephanie B. Stolz~~ Travel to and
from common carrier terminals

DIGEST: Employee, who lived outside normal commuting area of duty station traveled by privately owned automobile to and from residence to local airport and by airline to and from such airport to airport at designated official duty station. She is entitled to mileage and airline fares between home and terminal in the absence of agency regulation limiting reimbursement to travel within prescribed normal commuting distance from official duty station. Also, reimbursement may not be made for constructive travel costs in excess of actual travel costs.

CLAIMED
reimbursement

AGC 00022 This action is in response to a request, dated May 2, 1978, from Ms. Martha R. Johnson, an authorized certifying officer of the Department of Health, Education, and Welfare (DHEW), for a decision concerning seven vouchers of Dr. Stephanie B. Stolz, a DHEW employee, for certain travel expenses incurred incident to the performance of temporary duty.

Dr. Stolz, who is stationed in Kansas City, Missouri, traveled on several occasions, in connection with the alcohol, drug abuse, and mental health activities of the Public Health Service during the period from October 1977 to March 1978. On every trip in question Dr. Stolz drove to and from her home to Lawrence, Kansas, and flew between there and the Kansas City International Airport (KCI).

Five vouchers claiming mileage between Dr. Stolz' residence to and from the Lawrence Airport and airline fare between Lawrence and KCI have been paid. Airline fare from KCI to Lawrence was disallowed on a sixth voucher. On a seventh voucher, which has not been paid, Dr. Stolz claims a constructive mileage allowance of \$40.80 for two round trips of 120 miles each which her husband would have made, to take her to and from KCI if she had not driven to and from Lawrence and traveled by airplane between there and KCI. The certifying officer requests a decision whether the air fare payments for

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Dec

travel between Lawrence and KCI are proper. She also asks whether travel on a Government Travel Request may be made from an employee's residence to a temporary duty station. Finally, she asks whether the constructive travel costs on the unpaid voucher, which exceeds the actual travel costs, may be certified for payment.

Paragraph 1-2.3c of the Federal Travel Regulations (FTR) (FPMR 101-7) (May 1973) provides, in part, that reimbursement will be allowed for the usual taxicab and airport limousine fares, plus tip, from common carrier terminal to the employee's home and from the employee's home to common carrier terminal. Paragraph 1-4.2, FTR, permits allowance of mileage and parking for travel by privately owned automobile to and from common carrier terminals, not to exceed the taxicab fare allowable under FTR para. 1-2.3c. Additionally, we held in B-153215, January 27, 1964 (applying paragraph 3.1b of the Standardized Government Travel Regulations which is very similar to FTR paragraph 1-2.3c), that an employee, who traveled by taxicab to and from his residence to a nearby heliport and who traveled by helicopter to and from the heliport to San Francisco Airport, could be reimbursed both taxicab and helicopter round-trip fares. Thus, Dr. Stolz is entitled to mileage allowance to and from her home to the Lawrence Airport and to airline fare to and from Lawrence Airport to San Francisco Airport, if her vouchers are otherwise proper.

In connection with the above, we point out that it is a proper exercise of administrative discretion for DHEW to limit by regulation reimbursement for travel from an employee's residence which is outside the designated official duty station to a common carrier terminal. Such a regulation would be reasonable if it allowed an employee some reimbursement for travel to and from his residence while eliminating any extra expense to the Government caused by the employee's decision to live further than the normal commuting distance from his designated official station. See Matter of Gilbert C. Morgan, 55 Comp. Gen. 1323 (1976) and 57 Comp. Gen. 32 (1977). In the absence of such a regulation, Dr. Stolz is entitled to complete reimbursement for round-trip mileage and airline fares.

With reference to the seventh voucher on which Dr. Stolz claims mileage, on a constructive basis, for being driven by her husband to and from their home to KCI in their privately owned automobile, FTR para. 1-4.2c(1) (September 12, 1977) provides reimbursement at 17 cents per mile for the round-trip mileage between an employee's home

B-191857

and common carrier terminal and between the terminal and his home provided the round-trip mileage cost does not exceed the taxicab fare, including tip between the two points. However, as pointed out above, the constructive mileage claimed exceeds the amount reimburable for such travel as actually performed. Payment for travel on a constructive basis may not exceed the costs of travel as actually performed. See B-181573, February 27, 1975. Therefore, certification for payment of Dr. Stolz' claim for travel between her home and KCI should be limited to reimbursement for travel as actually performed.

Action on the vouchers should be taken in accordance with the above.

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Acting Comptroller General
of the United States

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