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DECISION



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

FILE: B-198330

DATE: May 5, 1981

MATTER OF: Travel entitlements to carrier terminals

DIGEST: [Allowances for travel by privately owned vehicle from a member's permanent station to a carrier terminal located outside the member's duty station and not adjacent to it for members of the uniformed services and their dependents is authorized on the same basis as when the common carrier terminal is located within the limits of the member's permanent station or adjacent thereto. These allowances are a monetary allowance authorized under 37 U.S.C. 404(d) based on miles actually driven and parking fees not to exceed common carrier costs.]

The question to be resolved by this decision is whether Volume 1 of the Joint Travel Regulations (1 JTR) may be amended to authorize a monetary allowance computed on a mileage basis and reimbursement for parking fees for members of the uniformed services and their dependents when performing authorized travel using privately owned vehicles to travel to a common carrier terminal which is neither within nor adjacent to the boundaries of their permanent duty station. It is our view that the regulations may be amended.

This question together with the proposed change in the regulations was submitted by the Acting Assistant Secretary of the Air Force (Manpower, Reserve Affairs and Installations). The request has been assigned PDTATAC Control No. 80-12 by the Per Diem, Travel and Transportation Allowance Committee.

The regulations now permit payment of a monetary allowance based on round-trip mileage between a member's residence or official station and the common carrier terminal plus parking fees incurred at the terminal when the member is driven in his automobile to or from the airport by a friend or relative who is not traveling on official business. Subject to the constructive cost limitation based upon common carrier or taxi costs, one

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allowance computed on round-trip mileage at the beginning and one at the end of a temporary duty trip plus applicable parking fees is allowed. Subject to the same constructive cost limitation the regulations also permit payment of an allowance based on mileage when the member drives himself to the terminal at the beginning of a travel assignment, parks at the terminal while away, and drives himself back to his residence or duty station upon return. Under these regulations a mileage allowance is not paid to a member who shares a ride to the airport in another traveler's vehicle.

The effect of the proposed revision would be to authorize a monetary allowance on a mileage basis and reimbursement for parking fees for members and their dependents in a travel status who travel to a common carrier terminal not within or adjacent to their permanent duty station on the same basis as current regulations, described above, authorize when the carrier terminal is within the boundaries of or adjacent to the permanent station.

Various decisions of this Office dealing with mileage and parking fees in connection with travel to carrier terminals are cited by the Acting Assistant Secretary. Apparently, direction in this area is requested in view of certain perceived ambiguities in the decisions of this Office.

At the outset, we would like to point out that specific legislation relating to payments for this type of travel for civilian employees and members of the uniformed services in connection with travel to local carrier terminals does not exist.

In 31 Comp. Gen. 424 (1952), we authorized the payment of mileage and the reimbursement of parking fees to a civilian employee of the Government, who used a privately owned conveyance for transportation to the airport in connection with temporary duty away from his permanent station. This entitlement was limited to the extent that it could not exceed the normal taxi fares. This decision was based on general legislation relating to allowances for travel on public business for civilian employees.

Subsequently, pursuant to requests for amendments to the regulations, various decisions relating to entitlements of members of the uniformed services in connection with

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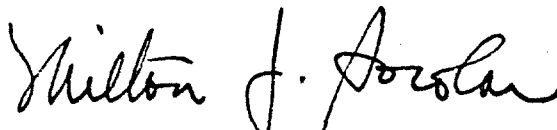
travel by privately owned conveyance from a residence or permanent duty station to a local carrier terminal were issued authorizing entitlements to members on a basis similar to that applicable to civilian employees. See 39 Comp. Gen. 131 (1959) and 39 Comp. Gen. 814 (1960). In these decisions we interpreted the various laws involved, 37 U.S.C. 404, and the statute now codified as 37 U.S.C. 408, and concluded that the entitlements relating to such travel could be authorized by appropriate revision to Volume 1 of the JTR. The basis for our view in that regard was that the legislative history of these statutes evidenced intent on the part of the Congress to authorize entitlements to members of the uniformed services in a manner consistent with those being received by civilian employees of the Government.

It should be noted that those decisions rely implicitly on the fact that reimbursement of mileage and parking fees is limited to the comparative costs of taxi or common carrier fares which are authorized to be paid as transportation costs. The fact that the proposed amendments would limit reimbursement to the comparative costs of authorized transportation is considered sufficient to justify the amendments to 1 JTR, which would authorize a monetary allowance computed on the basis of mileage actually driven and reimbursement for parking fees actually paid when a privately owned vehicle is used in like manner as that currently authorized for transportation to local terminals. However, since the travel involved would not be local travel, any entitlements under the proposed regulations should be limited to the cost incurred for a one-way trip by the most practical and inexpensive common carrier.

Whether travel payments should be limited to travel to and from the "prime terminal serving the area" is more a matter for administrative determination. The conclusion in this decision is predicated upon the allowance of reimbursement for use of privately owned vehicle on a constructive cost "not-to-exceed" basis. Allowing reimbursement on this basis for part of a trip when air travel could have been used would not be prohibited under the applicable statutes as interpreted in this decision. Thus, we would not object to regulations which permitted payment on a constructive basis even if the member drove to an airport which was not a local airport, but which was more convenient for the travel being performed, e.g., offered more direct flight or a departure time which could better accommodate the required travel.

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Accordingly, we will not object to amendments to 1 JTR, made within the limitations of this decision, and this decision is not to be construed as having a bearing on other travel entitlements of members of the uniformed services and their dependents.

A handwritten signature in cursive script, reading "Milton J. Forster".

Acting Comptroller General
of the United States