

DECISION



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

FILE: B-208988

DATE: March 28, 1983

MATTER OF: Timothy F. McCormack

DIGEST:

Where employee transferred from San Francisco to Minneapolis avoided automobile travel via Route 80 on the advice of the American Automobile Association he may be paid a mileage allowance for travel of an additional 513 miles distance by a more southerly but usually traveled route. He may not be paid additional mileage for a deviation from that usually traveled route.

This responds to a request from James E. Allen, Chief, Fiscal Services Branch, Accounting Division, Peace Corps, for an advance decision on the claim of Timothy F. McCormack. Mr. McCormack seeks reimbursement of \$47.44 which represents a mileage claim of 593 miles at \$0.08 per mile previously disallowed. Given the explanation Mr. McCormack has offered for rerouting his travel, he may be paid a mileage allowance for all but 80 of the additional miles claimed.

Mr. McCormack was authorized a permanent change of duty station from San Francisco to Minneapolis in March 1980. He traveled by privately owned vehicle and claimed a mileage allowance for travel of 2,533 miles on official business. The Certifying Officer allowed only 1,932 miles representing the shortest road mileage between these two cities as shown by the Rand-McNally Standard Highway Mileage Guide. Claimant explained the excess mileage by stating that upon the advice of the San Francisco office of the American Automobile Association (AAA), he took a more southerly route because of inclement weather conditions forecast for the more direct route (Interstate 80 through the Sierra and Rocky Mountains). His travel from San Francisco to Minneapolis was routed by way of Phoenix, Albuquerque, Oklahoma City and Kansas City. The Certifying Officer is of the opinion that had the claimant not made a premature departure, the AAA forecast might not have been as severe. Also, the Certifying Officer suggests that the

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claimant opted for the southern route in order to visit friends and relatives.

Under Chapter 2, Part 2, of the Federal Travel Regulations (FTR) (FPMR 101-7), a transferred employee is entitled to transportation between his old and new duty stations in accordance with the provisions of FTR Chapter 1. For authorized travel by privately owned vehicle, FTR Chapter 1, Part 4, para. 1-4.1, provides:

"* * * When transportation is authorized or approved by privately owned * * * automobiles, distances * * * shall be shown in standard highway mileage guides * * *. Any substantial deviations from distances shown in the standard highway mileage guides shall be explained."

In addition, FTR Chapter 1, Part 2, para. 1-2.5, provides that all travel shall be by a usually traveled route unless it is satisfactorily established that travel by a different route is a matter of official necessity.

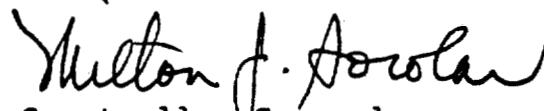
We held in 28 Comp. Gen. 708 (1949), that a traveler may be paid for mileage in excess of that shown on mileage tables between authorized points of travel upon adequate explanation for the deviation. In that case as in B-162662, November 8, 1967, we reimbursed employees traveling across country additional mileage for travel by way of a more southerly route where justified by weather or road conditions making it imprudent to travel the shorter, but more northerly route. As to Mr. McCormack's case, the AAA's Cartographics Division has informed our Office that a recommendation not to use Interstate 80 is standard advice from early December through late March. AAA states that although Interstate 80 rarely closes, there is the possibility of temporary traffic stoppage due to very heavy snowfall at Donner Pass between California and Nevada. The San Francisco National Weather Service has confirmed that on March 15, 1980, the date of Mr. McCormack's departure, snow had been forecast and a traveler's advisory was in effect for the Sierra Nevada Mountain areas of Route 80. Given this information, we can only conclude that the threat of adverse weather conditions on Interstate 80 constituted a sufficient reason for choosing the more southerly route. While the portion of Mr. McCormack's trip from Albuquerque to Minneapolis was performed by the usually traveled more

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southerly route, his travel from San Francisco to Albuquerque was indirectly routed by way of Phoenix. Since the more direct and usually traveled route by way of Bakersfield and Route 40 would have involved travel of 2,453 rather than the 2,533 miles claimed, Mr. McCormack may be paid a mileage allowance for an additional 513 miles rather than the 593 miles claimed. See FTR Chapter 1, Part 2, para. 1-2.5b.

We cannot agree with the Certifying Officer's suggestion that the particular routing of Mr. McCormack's travel was due to his premature departure. His effective date of transfer was March 24, 1980. He arrived in Minneapolis on March 23, having departed from San Francisco on March 15. The AAA's advice against the use of Interstate 80 through late March makes it unlikely that a later date of departure would have made it unreasonable for Mr. McCormack to travel by a more southerly route. The fact that Mr. McCormack stayed with friends and relatives en route does not affect the conclusion.

Accordingly, Mr. McCormack may be paid an additional mileage allowance of \$41.04.



Acting Comptroller General
of the United States