

DECISION



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

10,216

FILE: B-193401

DATE: May 17, 1979

MATTER OF: Joanne E. Johnson - [Mileage allowance]

DIGEST:

Employee appointed as translator with Defense Attache System in Stockholm, Sweden, entered on duty at Arlington, Virginia, and was required to attend training course in Washington, D.C. Employee claims mileage allowance for travel between residence in Annandale, Virginia, and training site in Washington. Arlington and Washington were temporary duty stations, since *the* employee was assigned to those locations only for processing incident to permanent overseas assignment, and determination of employee's headquarters must be made on *the* basis of where she is expected to perform *the* preponderance of duties. However, transportation is allowable between lodgings and temporary duty station.]

This action is at the request of Thomas C. Roberts, Chief, Financial Policy and Accounting Division, Office of the Comptroller, Defense Intelligence Agency. Mr. Roberts requests our decision on the claim of Joanne E. Johnson for \$285.60 mileage allowance for travel from her residence to a training site under the following circumstances.

Ms. Johnson, who was appointed to a translator position in Stockholm, Sweden, entered on duty with the Defense Intelligence Agency (DIA) at Arlington, Virginia, on November 16, 1977. Mr. Roberts reports that it is the policy of DIA to initially assign personnel appointed to certain overseas positions to its office in Arlington, Virginia. He also states that the employee is required to spend several months undergoing training at the Defense Intelligence School in Anacostia Annex, Washington, D.C. Thus, Ms. Johnson's duty station was designated as Arlington, Virginia. She reported there on November 16, 1977, and was processed in and assigned to the Defense Intelligence School, Anacostia Annex, Washington, D.C. for training on November 17, 1977. Upon

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completion of her training on January 27, 1978, she returned to duty at Arlington due to a delay in completion of security clearance matters. On April 20, 1978, she was issued orders reassigning her to the U.S. Defense Attache Office, Stockholm, Sweden, and departed Arlington on or about May 17, 1978, for Sweden.

Ms. Johnson submitted a claim for mileage for the round trip travel from her residence in Annandale, Virginia, to the training site at the Annacostia Annex. Mr. Roberts' question is whether the Defense Intelligence School or Arlington was Ms. Johnson's permanent duty station for that period. On the present record, we are of the opinion that neither place constituted her permanent duty station.

Decisions of this Office have held that an agency may not designate an employee's official duty station at some place other than the place at which that person is expected to perform the preponderance of his duties. 31 Comp. Gen. 289 (1952). That rule applies whether the question is one of entitlement to per diem for temporary duty or travel, transportation, and transfer expenses incident to a permanent change of station. B-166181, April 1, 1969.

In the last cited case, an employee stationed in Missoula, Montana, accepted an assignment in Laos and was assigned to Washington, D.C., effective November 18, 1968, for orientation and training. On December 1, 1968, he was transferred to Washington, D.C., pending receipt of security and health clearances, although there was no expectation that he would remain there for a sufficient period of time to justify a transfer. This Office found that Washington, D.C., was not the employee's permanent duty station, stating:

"We do not view the uncertainty with regard to the time the clearances would be obtained or the possibility that they might be denied as sufficient justification for the transfer, especially in view of the costs involved in a transfer of station."

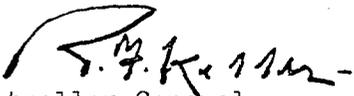
The decisions of this Office hold that the right to salary accrues when an appointee who has otherwise qualified commences to perform duties, although not at his permanent headquarters, since the rendition of services of any substantial kind, however temporary

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(whether duty, instruction, training, observation, selection, or probation) justifies a certification that the employee has entered on duty, even before arriving at his permanent post. In such a case the place where the training or other duty is performed is generally regarded as a temporary duty station for the purpose of determining travel entitlements. 22 Comp. Gen. 869 (1943).

In this case the SF-50 effecting Ms. Johnson's appointment shows the employing office as "Defense Attache System (Stockholm, Sweden)." Mr. Roberts has stated that employees hired for duty overseas are normally assigned to the Washington, D.C., area for the purpose of routine paperwork processing and training. In exceptional cases a security clearance will not be completed when the employee completes training. That happened in this case and Ms. Johnson spent slightly over 6 months assigned to Arlington between the time of her appointment and her departure for Stockholm. Since the employee was assigned to Arlington for processing and was only assigned duties there while waiting for a clearance, Arlington must be considered a temporary duty station. Also, since Ms. Johnson was assigned to training in Anacostia Annex in connection with her permanent assignment to Stockholm, Anacostia Annex was also a temporary duty station. In this connection Federal Travel Regulations (FPMR 101-7) para. 1-2.3a (1973) permits the allowance of transportation between the place of lodging and place of business at a temporary duty station. Also, see FTR para. 1-4.1a (1973).

Accordingly, if the claim is approved by the proper administrative official and is otherwise proper, it may be certified for payment.


Deputy Comptroller General
of the United States