

DECISION



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

FILE: B-208016

DATE: November 16, 1982

MATTER OF: Ralph Palmer - Mileage Between Home and
Common Carrier Terminal

DIGEST:

Employee was driven to and picked-up from airport when he went on temporary duty travel. Airport used was 45 miles from employee's home and 33 miles from duty station. There was a closer airport in same town as duty station, but appropriate air carrier service was not available. Use of commercial bus to airport actually used had been found to be neither convenient nor cost effective by transportation officer. Fact that airport used was not the closest to duty station does not preclude reimbursement of round-trip mileage under Volume 2 of the Joint Travel Regulations, paragraph C4657, or under Federal Travel Regulations paragraph 1-4.2(c)(1), where airport used was nearest serviceable airport offering appropriate carrier service. Reimbursement is still limited to no more than one-way taxi fare.

The Finance and Accounting Officer, Pine Bluff Arsenal, Arkansas, requests an advance decision concerning an employee's claim to reimbursement for mileage for round-trip travel by a privately owned vehicle (POV) from the employee's home in Pine Bluff, Arkansas, to the air terminal in Little Rock, Arkansas, en route to Rock Island, Illinois, for temporary duty. The question is whether the full 90-mile round trip is reimbursable, in light of the fact that another airfield was located much closer, and other common carrier service was available to Little Rock. We hold that the claim is payable because the Little Rock airport is the nearest airport having the needed carrier service, and travel by POV was reasonable and advantageous to the Government.

The case was forwarded to us through the Per Diem, Travel and Transportation Allowance Committee, and was assigned PDTATAC Control No. 82-16.

Mr. Ralph Palmer, a civilian employee of the Pine Bluff Arsenal, was ordered to travel on temporary duty from his home in Pine Bluff, Arkansas, to Rock Island, Illinois, for a stay of 6 days. Mr. Palmer's wife drove him to the airport in Little Rock, and met him there on his return. The airport was 45 miles from Mr. Palmer's home and 33 miles from the Pine Bluff Arsenal.

The Comptroller of the Army is uncertain of the propriety of Mr. Palmer's claim in that there is an airfield in Pine Bluff, Arkansas, which is only 13 miles away from the Arsenal. The Army has interpreted our prior decisions as limiting round-trip POV travel to terminals which are close to the duty station, and which are serviced by local common carriers.

The Finance and Accounting Officer of the Pine Bluff Arsenal has determined that it is not cost effective to utilize the Pine Bluff air terminal due to limited flight availability. At the time of Mr. Palmer's travel, there was one daily flight available to Memphis, Tennessee, and one daily flight available to Little Rock. As for alternate ways to get to Little Rock, including all related costs the travel expenses would be: on commercial bus, \$84.70 round trip; military taxi or sedan \$79.68; and commercial taxi \$103.50. The cost of two round trips by private vehicle from Mr. Palmer's residence to the Little Rock airport was \$40.50. Clearly, POV travel, in this case, is advantageous to the Government.

Both the Federal Travel Regulations, FPMR 101-7 (May 1973) (FTR), and Volume 2 of the Joint Travel Regulations (2 JTR), permit reimbursement of mileage when a POV is used for travel to and from a terminal. Paragraph C4657 of 2 JTR, as it was stated at the time of Mr. Palmer's travel, provided:

"1. GENERAL. When a privately owned automobile is used in lieu of a taxicab incident to the travel of an employee to or from a terminal, payment on a mileage basis is authorized at the rate of \$.225 per mile * * *"

"2. REIMBURSEMENT ON A MILEAGE BASIS.

Mileage for the use of a privately owned automobile will be payable to an employee for the distance the vehicle is actually driven incident to delivering the employee to or returning the employee from a terminal from which he departed and/or to which he returned from temporary duty * * * provided that the total payment does not exceed the cost of the related one way cab fares between the points involved."
(Change 183, January 1, 1981.)

This paragraph is in accord with FTR para. 1-4.2(c)(1). Both provisions speak in terms of round-trip reimbursement, with no stated requirement that the terminal be a local terminal. These provisions standing alone would appear to authorize reimbursement for the round trips which were incident to the delivery and return of Mr. Palmer. B-146088, June 27, 1961. The only limitation imposed upon reimbursement is that it may not exceed one-way taxi fare. The fare to Little Rock would be \$51.75, and Mr. Palmer's claim was for \$40.50.

The Army paid half of the claim upon the theory that the trip to Little Rock was a "leg of the journey" en route to Rock Island. The decision was based on B-177562, May 21, 1973. That case concerned a civilian employee of Fort Hood who drove 124 miles round trip to the Austin, Texas, air terminal en route to Washington, D.C., for temporary duty. In sustaining the claim it was stated that:

"* * * it does not appear that the Austin airport would be considered a terminal serving Fort Hood since there are common carrier terminals much nearer to that installation. In the circumstances travel from Fort Hood to Austin would be considered one leg of the authorized travel rather than travel to a terminal. We do not view the regulations concerning travel to terminals as applicable to travel between the point of origin and a distant terminal which serves an area other than the point of origin."

Several of our cases have attempted to define "local terminal." See 47 Comp. Gen. 469 (1968); 45 Comp. Gen. 840 (1966); 44 Comp. Gen. 445 (1965); 41 Comp. Gen. 588 (1962); 40 Comp. Gen. 7 (1960). These cases are instructive, but not controlling, as they do not address the provision at issue here. A primary consideration in those cases was the presence or absence of local common carriers servicing the air terminal. The record here shows that, although there is commercial bus service between Pine Bluff and Little Rock, the local Transportation Officer has found it neither convenient nor cost effective to use such service. In Earl Cleland, B-201281, July 7, 1981, we upheld an agency in requiring the use of convenient commercial bus service, where the employee's home was 200 miles from the air terminal used.

In clarifying our position, it must first be noted that the local terminal limitation is not part of the regulations. The limitation is implied rather than express. The policy behind the limitation is the prevention of unnecessary use of distant terminals. An employee may have personal reasons for wishing to drive to a terminal in another area. Further, it is wasteful to ignore readily available service at a closer terminal, or to fail to use other convenient and serviceable common carrier service for a leg of a trip.

In the present case, no service was available to Rock Island, Illinois, from the Pine Bluff air terminal. It was necessary for Mr. Palmer to travel to Little Rock, which had the closest serviceable air terminal. Our prior decision, B-177562, May 21, 1973, concerning travel from Fort Hood to Austin, is distinguishable in that other closer, serviceable terminals were apparently available. Therefore, the rule to be applied is that round-trip POV travel will be reimbursed only when the local or nearest serviceable terminal is utilized. The reimbursement is limited to the cost of one-way taxi fare to the authorized terminal. The rule does not limit the use of local common carrier terminals. The Government is not required to utilize the closest common carrier terminal of several that may be available in the same metropolitan area. However, nonlocal terminals utilized must be the nearest serviceable terminal to warrant reimbursement. If the nearest serviceable terminal is so distant that another mode of transportation would clearly be more advantageous to the Government, the travel orders should prohibit reimbursement of round-trip POV travel to the distant terminal.

B-208016

Accordingly, since Little Rock was the nearest service-able air terminal to Pine Bluff Arsenal, and Mr. Palmer's claim was less than the corresponding one-way taxi fare, the claim may be paid.

for *Melton J. Fowler*
Comptroller General
of the United States