

PLM-1

DECISION



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

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FILE: B-192142

DATE: March 21, 1979

MATTER OF: *[Claim for]* Craig R. Sheely - *[Relocation Expenses]*

DIGEST: Employee was transferred from Avery, Idaho, to Silverton, Idaho, which are 38 miles apart. He is entitled to mileage, transportation of household goods, temporary quarters subsistence expenses allowance, and reimbursement for expenses of a house-hunting trip. Pertinent provisions of the Federal Travel Regulations state that distances should be those via usually traveled routes. The record shows that the usually traveled route is 106 miles and that the 38-mile direct route is unsafe because of steep slopes, narrowness, and an unsafe bridge.

This is in response to a request for an advance decision dated June 8, 1978, from Mr. H. Larry Jordan, an authorized certifying officer of the Department of Agriculture, concerning the propriety of paying the reclaim voucher of Mr. Craig R. Sheely for mileage, transportation of household goods, and a temporary quarters expenses allowance. The reclaim arose incident to a permanent change of station from Avery, Idaho, to Silverton, Idaho, a distance of 38 miles. Mr. Jordan also asks whether Mr. Sheely should be billed for a payment to him for a trip to seek permanent quarters.

In connection with this transfer, Mr. Sheely, an employee of the Forest Service, claimed 106 miles for travel from Avery, Idaho, to Silverton, Idaho. Since his agency determined by use of the Standard Highway Mileage Guide that the distance between the two cities was 38 miles, Mr. Sheely's claim of 106 miles for movement of his household goods, was also reduced to 38 miles. Mr. Sheely also submitted a claim for temporary quarters expenses. The certifying officer disallowed payment on the basis of paragraph 2-5.2h of the Federal Travel Regulations (FTR) (FPMR 101-7), which provides in pertinent part as follows:

"* * * An employee or members of his immediate family shall not be eligible for temporary quarters expenses when the distance

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between the new official station and old residence is not more than 40 miles greater than the distance between the old residence and the old official station * * *. All measurements shall be made according to map distance along a usually traveled route."

Moreover, the certifying officer advised us that Mr. Sheely was authorized and paid for a trip he made on May 10, 1977, to seek permanent quarters. His claim was for 1-3/4 days per diem and mileage for 35 miles. Mr. Sheely referenced the mileage figure on the voucher as follows:

"(*Jeep used over Moon Pass road not recommended for travel.)"

The certifying officer asks whether Mr. Sheely should be billed for the above payment since FTR paragraph 2-4.1c(4) precludes payment for a trip to seek permanent quarters "...when the map distance between the old and new stations is less than 75 miles via a usually traveled surface route."


Mr. Sheely argues that he was required to travel the longer distance because the most direct route of 38 miles was unsafe due to steep slopes, 9 miles of narrow 1-1/2 lane road that does not have intervisible turnouts, and an unsafe bridge. The record contains similar statements made by professional movers and Forest Service personnel. Specifically, a report by District Ranger Roy O. Brogden concluded that "* * * it should be the employee's option to use the shorter hazardous route or the longer safe route. Moon Pass is not a year round route, and is also not safely passable after rains during the open period. * * *"

Paragraph 2-2.1 of the FTR provides that mileage for a transferred employee shall be allowed in accordance with FTR chapter 1. FTR paragraph 1-4.1b(1) states that when transportation by privately owned automobile is authorized, distances shall be as shown in standard highway guides or by speedometer readings. We do not believe that the FTR was intended to require employees to travel the most direct route regardless of safety factors. Further, the FTR contemplate circumstances where the most direct route could not be used by providing in paragraph 1-4.1b(1) that substantial deviations from distances shown in the standard highway guides shall be explained.

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In the instant case Mr. Sheely traveled in a vehicle which pulled a trailer used for the movement of his household goods. The Standard Highway Mileage Guide does not list the mileage between Avery and Silverton. The agency, therefore, used the distance of the roads shown between those locations. An examination of the Rand-McNally Road Atlas shows that the roads used by the agency are not through local roads. Rather, the roads are shown as other roads where local conditions vary and it is suggested that inquiries should be made concerning them. We are satisfied that the explanation provided by Mr. Sheely, which is corroborated by his supervisor and local household goods movers, fully justified the use of the route used by him for his travel and the transportation of his household goods. Since FTR paragraph 2-5.2h provides that measurements used in determining eligibility for the temporary quarters subsistence expenses allowance shall be made according to map distances along a usually traveled route, Mr. Sheely is entitled to that allowance.

As noted above, Mr. Sheely traveled on his house-hunting trip only 35 miles one way in a jeep over a road which is not recommended for travel. In this connection FTR paragraph 2-4.1c(4) provides that a house-hunting trip shall not be authorized when the map distance between the old and new stations is less than 75 miles via a usually traveled surface route. Since the record shows that the usually traveled route was more than 75 miles, Mr. Sheely should not be billed for the payment made for his house-hunting trip. Accordingly, the voucher is returned herewith and may be certified for payment if otherwise correct.


Deputy Comptroller General
of the United States