



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

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B-178312

July 20, 1973

The Honorable Earl L. Butz
The Secretary of Agriculture

Dear Mr. Secretary:

This is in reply to letter of June 1, 1973, from the Assistant Secretary for Administration requesting our decision as to whether or not the distance involved in successive relocations of offices may be considered as meeting the 10-mile requirement under section 1.1c of Office of Management and Budget Circular No. A-56 in order to authorize or approve relocation expenses.

The letter states that the Animal and Plant Health Service (APHIS) of the Department realigned certain program functions which involved merging offices and relocating the offices into one at a new location. Certain employees were moved in May 1972 from Berkeley, California, to the new office in Oakland, California, a distance of 9.2 miles. No relocation allowances for employees were considered or authorized in view of the 10-mile restriction in section 1.1c of the Circular.

Subsequent to the APHS realignment, a realignment of the regulatory and marketing agencies of the Department resulted in the establishment of a new agency, the Animal and Plant Health Inspection Service (APHIS), and the relocation of certain functions to a common location in Alameda, California. As a result of the organization of APHIS the office force that moved from Berkeley to Oakland in May 1972 was required to make a second move in November 1972 to Alameda, a distance of 3 miles. In view of the second move some of the employees find it necessary to relocate their residences. If there had been no relocation of the office in Oakland the move would have been directly from Berkeley to Alameda, a distance of 10.8 miles.

Section 1.1c of Circular No. A-56, effective September 1, 1971, provides in pertinent part, as follows:

c. Travel covered-generally. When a change of official station or other action described below is authorized or approved * * * travel and transportation expenses and applicable allowances as provided herein are payable in the case of (1) transfer of an employee

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from one official station to another for permanent duty, provided that: * * * the transfer is to a new official station which is at least ten miles distant from the old official station * * *.

The regulation in question provides that relocation expenses may be authorized in the case of the transfer of an employee from one official station to another for permanent duty provided the new station is at least 10 miles from the old station. In the instant case, if the re-alignment of the various functions had been made at one instead of two times the employees would have been transferred directly from Berkeley to Alameda and could have been allowed relocation expenses. In view thereof, and having regard for the comparatively short time elapsing between the two transfers and the fact that there is no specific provision in the regulation precluding the combining of distances we will not object to the payment of relocation expenses in this case should it be administratively determined that such expenses in fact were incurred incident to the transfer.

Sincerely yours,

(SIGNED) ELMER B. STAATS

Comptroller General
of the United States