

**DECISION**

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

FILE: B-182697

DATE: 50762 97215  
JUN 9 1975

MATTER OF: Andrew W. Stanfield - Request for travel expenses  
incident to assignment under the Intergovernmental  
Personnel Act of 1970

DIGEST: Federal employee on detail to State government under  
Intergovernmental Personnel Act of 1970 may be reimbursed  
for travel expenses while away from place of assignment when  
head of Federal agency considers travel "in the interest of  
the United States." 5 U.S.C. § 3375(a)(1)(C) (1970).

This decision is rendered in response to a submission by  
R. J. White, Certifying Officer, Office of Economic Opportunity  
(OEO), requesting an advance decision regarding payment of a claim  
for travel expenses of Mr. Andrew W. Stanfield.

Mr. Stanfield was detailed to the Department of Health of the  
State of New Jersey from a position in OEO for a period of 2 years  
under the provisions of the Intergovernmental Personnel Act (IPA)  
of 1970, 5 U.S.C. §§ 3371-3376 (1970), effective November 1, 1972,  
and ending October 31, 1974. At the time of his detail the Standard  
Form 50 ordering the action indicated at block 25 that his duty  
station was to be Trenton, New Jersey. On October 23, 1974, shortly  
before the end of his detail with the New Jersey Department of Health,  
Mr. Stanfield traveled from his residence in Orange, New Jersey, to  
Washington, D.C., to confer with the Director of OEO in regard to  
his future detail assignment and other OEO matters. He remained in  
Washington until October 30, 1974, when he returned to Orange. The  
travel was performed pursuant to a Request and Authorization of  
Official Travel which had been signed by the Director-Designate of  
OEO.

Mr. Stanfield was detailed, effective November 1, 1974, to a  
different position, with the City of Newark, New Jersey, Housing  
Authority, also under the provisions of the IPA. Mr. Stanfield  
submitted a travel voucher for his travel to Washington and that  
voucher is the basis for the certifying officer's request.

The certifying officer notes that section 401 of the IPA,  
84 Stat. 1920, states that "The purpose of this title is to provide  
for the temporary assignment of personnel between the Federal  
Government and State and local governments and institutions of

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higher education." He then asks, if assignments under that authority are in fact temporary, would the return "to the employee's official duty station," meaning Washington, D.C., preclude payment of per diem while in Washington, D.C.?

The certifying officer next states that Mr. Stanfield's agreement with the New Jersey Department of Health was scheduled to end October 31, 1974, but Mr. Stanfield "returned to his duty station on October 23, 1974 without returning to his IPA assignment" in Trenton. The certifying officer then asks if "returning" to Washington, D.C., without "returning" to Trenton should cause the certifying officer to consider Mr. Stanfield's assignment ended and preclude payment of per diem while Mr. Stanfield was in Washington, D.C.?

Mr. Stanfield's duty station with the State of New Jersey for the period in question was Trenton, New Jersey. The fact that for his regular OEO position his duty station is Washington, D.C., is not material to the claim. Mr. Stanfield left his residence in the vicinity of his State duty station on October 23, 1974, a Wednesday, and returned on October 30, 1974, also a Wednesday and 1 day prior to the end of his detail at that station. His subsequent detail to a duty station in Newark required no move on Mr. Stanfield's part since he was already located in that vicinity. There is no reason to consider Mr. Stanfield's assignment in Trenton to have terminated merely because he traveled to Washington, D.C., pursuant to a proper travel authorization.

Finally, in regard to payment of this claim, it should be noted that an agency's appropriations are available for the expenses of an employee for "travel, including a per diem allowance, while traveling on official business away from his designated post of duty during the assignment when the head of the executive agency considers the travel in the interest of the United States." 5 U.S.C. § 3375(a)(1)(C) (1970). As previously noted, the travel authorization was signed by the Director-Designate of OEO and such approval is sufficient in the instant case to authorize payment.

Accordingly, the travel voucher, including the amount claimed for per diem, may be paid if otherwise correct.

R.F. KELLER

Deputy Comptroller General  
of the United States