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DECISION



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

[Determination of Applicable Rate for Per Diem Allowance]

FILE: B-194256

DATE: September 17, 1979

MATTER OF: Hugh R. Carlon

DIGEST: Army employee on temporary duty to Slough, England, resided in Cowley rather than in Slough. Reimbursement of per diem is limited to rate for Slough unless agency determines in accordance with regulations that suitable accommodations were not available at the place of temporary duty.

ACC 00299

The issue here is whether Mr. Hugh R. Carlon, an employee of The Department of the Army at the Edgewood Arsenal, Aberdeen Proving Grounds, Maryland, is entitled to receive per diem based upon the rate applicable to his temporary duty station or the rate applicable to the locality he resided in while on temporary duty. On the record Mr. Carlon is entitled to receive per diem based upon the rate applicable at his temporary duty station.

Mr. Carlon by letter of January 3, 1979, appealed the settlement issued by our Claims Division on December 21, 1978, denying his claim for per diem based upon the rate applicable to the locality he resided in while on temporary duty.

By Travel Order No. TO 8035, dated July 12, 1976, Mr. Carlon was authorized to travel from Aberdeen Proving Grounds, Maryland, to Slough, England, and elsewhere in order to participate in a research project. While in England he resided in the town of Cowley rather than in Slough, his place of temporary duty.

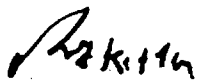
Mr. Carlon was paid \$30 per day for the time spent in England. At the time of his temporary duty this was the applicable per diem rate for the locality of Slough. See: Volume 2, Joint Travel Regulations (2 JTR) Appendix A. Mr. Carlon contends, however, that he is entitled to be reimbursed the rate applicable to Cowley as it was there he could find the closest accommodations. Mr. Carlon argues Cowley is within the Greater London area and thus its daily rate would be \$52. 2 JTR Appendix A.

Claims Division disallowed Mr. Carlon's claim on the basis that there was no evidence that suitable accommodations were unavailable in Slough or points west. On the record the disallowance is affirmed.

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B-194256

There is a general presumption that a person on temporary duty will reside at the place of his temporary duty. When suitable lodging, however, is not available at the place of temporary duty outside the continental United States and the employee is required to obtain lodging at a place in a different locality, the applicable per diem rate is that of the locality in which the lodging is obtained. 2 JTR para. C4552-3c; and Federal Travel Regulations (FPMR 101-7) para. 1-7.4d (May 1973). If the Department of the Army determines that suitable accommodations for the period in question were not available in Slough and that Cowley is within the London area, there would be no objection to reimbursing Mr. Carlon at the per diem rate applicable to the London area.


Deputy Comptroller General
of the United States