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**DECISION**

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

10,943

FILE: B-193740

DATE: August 6, 1979

MATTER OF: Robert C. Burden - [Temporary Duty Travel and Lodging Expenses]

**DIGEST:** The fact that an employee on a temporary duty assignment stays in a motel which is 74 miles from the temporary duty station, and only 25 miles from his home, does not necessarily indicate imprudent conduct by the employee. Each case must be considered on its own facts. Here, since there is no showing of any increased cost to the Government and no indication that the distance impeded the employee in the performance of his assignment, the employee should be reimbursed for his lodging expenses.

DL 6-02526

We have been asked to decide whether there is a maximum distance or range of distances from a temporary duty station within which an employee must obtain lodgings. In the case presented, we hold that the cost of the employee's lodging expenses may be allowed and we decline to prescribe any general rules regarding the distance between a temporary duty station and an employee's place of lodging as the Air Force requested.

By letter of November 8, 1978, the Chief, Accounting and Finance Branch, Headquarters Ogden Air Logistics Center, Hill Air Force Base, Utah, requested an advance decision on the reimbursement of lodging expenses of an employee on a temporary duty assignment. The matter was forwarded to us through the Per Diem, Travel and Transportation Allowance Committee and was assigned PDTATAC Control Number 78-47.

By travel authorization dated June 21, 1978, Mr. Robert C. Burden and 21 other employees were authorized to perform repeated temporary duty travel from Hill Air Force Base to the Hill Air Force Base Test Range at Lakeside, Utah, to test fire weapons systems. For the period of time in question, Government quarters were not available at the temporary duty site. According to the submission, when on this temporary duty employees generally obtain lodging in Grantsville, Utah, which is 50 miles from the Lakeside test range. Mr. Burden, for three of the four nights involved, stayed in a motel in Salt Lake City, which was 74 miles from the Lakeside test range and 25 miles from his permanent duty station and home. The Air Force argues that Mr. Burden has not complied with the spirit of paragraph C4464 of

~~200091~~

Temporary lodging allowance  
Travel costs  
Expense claim  
Air Force provided

Volume 2 of the Joint Travel Regulations (JTR) which requires an employee who is in a travel status to exercise prudence in incurring expenses.

There is nothing in the submission to indicate that Mr. Burden was in any way hindered in the performance of his duties because of the location of the lodgings he obtained during his temporary duty assignment. There is no indication that he was late for work, nor that any claim that he may have had for mileage reimbursement was increased by the location of his lodgings. Presumably, his action is questioned because, having traveled 74 miles from his temporary duty station he did not continue another 24 miles so that he could have lodged at his home at no cost to the Government.

There is no restriction in the JTR or the Federal Travel Regulations, FPMR 101-7 (May 1973) (FTR), on where an employee should obtain lodging while in a temporary duty assignment. We have not previously considered this precise question but we have dealt with requests for reimbursement for local travel expenses when an employee lodges at a distance from his temporary duty station. See Matter of Roland E. Groder, B-192540, April 6, 1979, and B-178558, June 20, 1973. In both cases employees on temporary duty assignments in New York City stayed in lodgings outside the city at no cost (Groder) or lower cost. Each employee sought reimbursement of commuting expenses. In both cases the overall cost to the Government was less, so reimbursement was allowed.

In the instant case, there is nothing to indicate that Mr. Burden's choice of lodgings in any way increased the total cost to the Government of his travel expenses. In fact, we note that for the three nights questioned by the Air Force, Mr. Burden's cost of lodgings totalled \$34.00 plus tax while the fourth night cost \$24.00 plus tax. Absent some showing that the Government's costs were increased or Mr. Burden's performance of his temporary duty assignment was impaired by the location of his lodgings, we do not believe that it can be presumed that he acted in an imprudent manner simply because he did not travel the rest of the way to his home. Therefore, we see no basis for withholding reimbursement of Mr. Burden's lodging expenses from him.

The agency also asks us to respond to three specific questions concerning the distances between permanent duty stations, temporary duty stations, lodgings, and employees' homes. We do not believe that it is advisable or even possible to specify uniform rules in this area, and we decline to answer the specific questions posed. We believe that each case in this area must be considered on its own facts and the conduct of the employee must be individually evaluated, in light of the cost to the Government and the extent of the interference with the employee's assignment.

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Accordingly, the voucher is returned and amounts claimed by Mr. Burden may be allowed, if otherwise correct.

*Milton J. Fowler*

For The Comptroller General  
of the United States

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