



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

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D-176477

MAY 10 1973

Mr. Donald C. Barresi
Electronic Engineer
ECAC (Building 120, Room 120)
North Severn
Annapolis, Maryland 21402

Dear Mr. Barresi:

Reference is made to your letter dated February 6, 1973, with enclosure, requesting reconsideration of our decision of February 1, 1973, D-176477, wherein your claim for per diem in the amount of \$246.60, for temporary duty performed during the period August 9 - September 8, 1971, was denied.

The facts surrounding your claim were discussed in detail in the decision of February 1, 1973, and therefore will not be restated in the present discussion. Insofar as pertinent, however, the record indicates that your claim for per diem was denied on the basis that the travel orders which authorized the subject temporary duty erroneously provided for the payment of per diem. We stated in the decision of February 1 that this Office was advised that established installation policy at the time of your travel for temporary duty of the type performed by you did not call for the payment of per diem.

You have now submitted for the record certain material which you assert indicates that the aforementioned policy was not formulated until November 15, 1971, the date of a memorandum describing installation travel policies, almost 2 months after your temporary duty assignment was completed. This memorandum states that installation policy regarding temporary duty assignments of the type which you performed precluded the payment of per diem.

We have been advised by the Department of the Army that the policies and procedures contained in the memorandum of November 15, 1971, had been in effect during an extended period while the document was being written in final form, and that you were orally instructed as to the substance thereof at the time of your temporary duty assignment.

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On the basis of the foregoing it thus appears that the authorization for a per diem entitlement in your travel orders was an error which should have been apparent to you by virtue of your knowledge of such existing policies at the time the orders were issued.

Accordingly, the decision of February 1, 1973, is hereby affirmed and your claim for per diem during the period August 9 - September 8, 1971, is again denied.

Sincerely yours,

PAUL G. DEMBLING
Acting Comptroller General
of the United States