



**The Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: Joyce Price - Travel Expenses
File: B-228687
Date: December 5, 1988

DIGEST

Agency properly authorized per diem for an employee who performed 3 days of temporary duty a short distance outside the corporate limits of the city in which she was permanently stationed. Since the employee had to work from early morning to late evening, the agency exercised its discretion in a reasonable manner and the employee may receive per diem for period of temporary duty.

DECISION

An authorized certifying officer of the Department of Health and Human Services (HHS) asks whether travel and transportation expenses, including a per diem allowance, are reimbursable to Ms. Joyce Price, an employee of the Department's Office of Human Development Services (OHDS), when she remained overnight at a temporary duty station that was near her permanent duty station. For the reasons below, we hold that the employee may be reimbursed for the claimed expenses, which total \$322.23.

From June 16 through June 19, 1987, Ms. Price was assigned to conduct a program review of the Head Start program of the Day Care Association of Fort Worth and Tarrant County, Texas, approximately 40 miles from her permanent duty station in Dallas, Texas. Such a program review includes detailed fact finding and observation during the day, beginning between 7 a.m. and 8 a.m., and evening meetings. A workday of 7 a.m. to 10 p.m. is not unusual. OHDS concluded that requiring Ms. Price to drive home at 10 p.m. and back to Fort Worth at 6 a.m. the next morning would be an unreasonable and unnecessary hardship. Therefore OHDS issued her travel orders authorizing her travel and transportation allowances, including a per diem.

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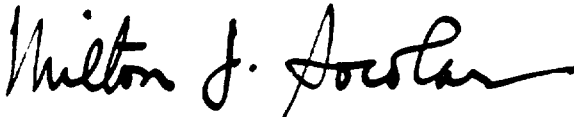
The certifying officer questions whether an internal travel regulation of HHS precludes Ms. Price from being authorized and receiving per diem for the time in question. The regulation states:

"For all purposes of vicinity travel, the metropolitan area will be defined as any city within a 40-mile radius of Dallas. There will be no per diem allowable for travel of less than 24 hours within these limits."

We read the regulation in question as only being applicable to employees who are in a travel status for less than 24 hours. Ms. Price was in a travel status for 3 days, June 16 to June 19, while assigned temporary duty at Fort Worth. Therefore, we conclude that the regulation does not preclude reimbursement of per diem expenses.

Additionally, in situations such as this one where the travel is outside the corporate limits of the city or town in which the employee is stationed but within a short distance of her official duty post, the agency has discretion to determine whether per diem expenses should be authorized. See, e.g., Jon C. Geist, B-189731, Jan. 3, 1978. Where an agency has exercised its discretion in a reasonable manner we will not override its determination. Id.

In the present case, OHDS exercised its discretion in a reasonable manner when it issued travel orders authorizing Ms. Price a per diem. Therefore, she may be reimbursed her travel and transportation expenses, including a per diem.

for 
Comptroller General
of the United States