



**Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: Commander Kathy R. Moore, USN

File: B-265913

Date: February 26, 1996

DIGEST

Member is not entitled to per diem for temporary duty performed at location which became permanent duty station following completion of temporary duty because change of duty station is effective upon receipt of order and therefore, temporary duty was not performed in a travel status away from the permanent duty station. However, member is entitled to per diem for temporary duty performed at old duty station following temporary duty at new duty station.

DECISION

The Defense Finance and Accounting Service (DFAS), Columbus Center requests a decision concerning the claim of Commander Kathy R. Moore, USN, for per diem and rental car expenses in connection with temporary duty she performed from June 5 to 19, 1994, at the Personnel Support Activity, New Orleans, Louisiana.

Commander Moore was issued permanent change-of-station orders to move her duty station from OPNAV, Arlington, Virginia, to the Personnel Support Activity, New Orleans, Louisiana, with three temporary duty (TDY) assignments before ultimately reporting to New Orleans. The first TDY was at her ultimate duty station in New Orleans from June 5 through 19, 1994. Here she resided in Bachelor Officer Quarters, ate out on the economy and rented a car because of the lack of government transportation. From June 20 through 24, 1994, she attended a class at Virginia Beach, Virginia. Her final TDY was in Arlington, Virginia, at the Bureau of Naval Personnel from June 24 until 29, 1994. On July 2, 1994, she returned to New Orleans and her new duty station with her dependents who, during the series of TDYs, remained at her residence in Arlington. Commander Moore only received per diem for the temporary duty at Virginia Beach, Virginia.

Commander Moore's claim for per diem and rental car expenses was denied for the period of temporary duty in New Orleans because a member is not entitled to per diem for temporary duty performed within the limits of the member's permanent duty station. See Volume 1, Joint Travel Regulation para. U4201-F. When a member is ordered to report for permanent duty at a station following completion

of temporary duty at the same place, that station becomes his or her permanent station upon receipt of such orders. Lieutenant Colonel Paul N. Driggers, USAF, B-216465, May 22, 1985.

Therefore, the denial of the claim was proper, especially in view of the fact that Commander Moore assumed command of the Personnel Support Activity, New Orleans, on June 17, 1994, while she was on temporary duty there.

However, since New Orleans became her permanent duty station upon receipt of the orders directing the permanent change of station and the subsequent three temporary duty assignments, she should be entitled to per diem from June 24 until 29, 1994, when she performed temporary duty in Arlington, Virginia, because she was in a travel status away from her permanent duty station, New Orleans.

/s/Seymour Efros
for Robert P. Murphy
General Counsel