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Mr. Goddard

UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

OFFICE OF GENERAL COUNSEL

In Reply
Refer to: B-199104(VBG)

May 11, 1981

Mr. Emery J. Sedlock
3278 Valley Drive
Alexandria, Virginia 22302

Do not make available to public reading

Dear Mr. Sedlock:

This responds to your memorandum of March 17, 1981, concerning your [claim for additional per diem] which you believe is due you incident to your temporary duty on the USNS Bowditch. Your claim was denied in decision B-199104, February 4, 1981.

You forwarded a copy of an information sheet published by the U.S. Naval Oceanographic Office entitled Information for NAVOCEANO Personnel Assigned TAD Aboard MSC Ships, dated June 1973. You state that this information, of which you apparently believe we were not aware, supersedes para. C8101-3b(6) of Volume 2 of the Joint Travel Regulations, February 1, 1975, which served as the basis of denying your claim in decision B-199104, February 4, 1981.

When we considered your claim, we had before us a copy of the June 1973, instruction and this was reviewed along with all of the other evidence. That instruction was not considered sufficient to overcome the other evidence presented by the Navy. In particular, the instruction cannot be found to supersede a subsequently issued regulation in the JTR.

Accordingly we see no basis for reconsidering B-199104, February 4, 1981, which denied your claim for additional per diem.

Sincerely yours,

Robert L. Higgins
Robert L. Higgins
Assistant General Counsel

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