



PER DIEM, TRAVEL AND TRANSPORTATION ALLOWANCE COMMITTEE
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REVISED 23 DEC 2010 FROM CAP MEMBER TO SERVICE HQS

PDTATAC/vap

17 December 2010

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CTD for CAP 131-10(I) -- Approval Level for TDY Over 180 Days

1. **SYNOPSIS:** Allow Service Headquarters, if delegated, or Director of a Defense Component authority to approve TDY over 180 days. CAP 99-10(I) increased the level from Service or Agency Headquarters to Service Secretary.
2. The attached revision is forwarded for information purposes only. No coordination or comments are required.
3. This revision was initiated by Navy CAP.
4. These changes are scheduled to appear in JTR change 544, dated 1 February 2011.
5. Revisions in this information item are *effective 1 December 2010*.

//approved//

WILLIAM B. TIRRELL, SR.
Chief, Regulations Branch

Attachment:
Rev 1

Civilian E-Mail Distribution:

CAP Members T&T Branch PMO-DTS GSA-3FT GSA-OGP(MTT) DTMO CBCA Judges

JTR REVISIONS

C4430-C:

*C. TDY Periods in Excess of 180 Consecutive Days. When mission objectives or unusual circumstances require TDY in one location for more than 180 consecutive days, and the par. C4430-A criteria are satisfied, the appropriate authority for authorizing/approving TDY assignments in excess of 180 consecutive days at any one location is the Secretary Concerned, Service Headquarters if delegated, Director of a Defense Component, the Chief of an appropriate bureau or staff agency specifically designated for that purpose (2 Star equivalent), or Commanders/Deputy Commanders of Combatant commands must determine if TDY of greater than 180 days is appropriate ([38 Comp. Gen. 853 \(1959\)](#)). ***There must be no re-delegation of authority, except as stated above for Service Headquarters*** A written request and justification must be forwarded to the Secretary Concerned, Service Headquarters, Director of a Defense Component, the Chief of an appropriate bureau or staff agency specifically designated for that purpose (2 Star equivalent), or Commanders/Deputy Commanders of Combatant commands as soon as practicable. This determination should be made before the order is issued. If the situation does not permit determination before order issuance, the order may be issued and the case submitted immediately to the appropriate authority who must:

1. Approve the order as written (making sure the advice in par. C4430-E is contained in the TDY order remarks section), or
2. Direct amending the order to:
 - a. Terminate the duty thereby returning the employee to the old station or assigning a new station,
 - b. Change the assignment from TDY to a PCS,

NOTE: If an employee is transferred by a PCS order to the TDY location, per diem, being paid ICW the TDY assignment, stops on the date the employee is notified of the transfer (Par. C5083).

- c. Fix the period at 180 or fewer days from the reporting date at the TDY station, or
- d. Authorize a TCS. Par. C4430-E.

NOTE 1: Authorization/approval to exceed the 180-day TDY limit is essential. If a traveler is TDY in excess of 180 days without authorization/approval, the traveler's per diem stops as of the 181st day (54 Comp. Gen. 368 (1974) and B-185987, 3 November 1976).

NOTE 2: The authorization requirements in par. C4430-C do not apply to TDY assignments of civilian employees deployed to Afghanistan or Iraq in support of ongoing contingency operations (APP A). The USD (P&R) memo, 'Building Increased Civilian Deployment Capacity' of 12 February 2008 recognized that deployments to Iraq and Afghanistan will typically be via TDY for periods of 12 or more months. Prior to the official travel start, the order must cite the 12 February 2008 USD (P&R) memo as the waiver authority. The waiver authority does not require USD (CPP) review; however, the authority when granted must be in the GOV'T's interest. This policy applies also to a non-DoD civilian employee if the order is DoD funded (par. C1001-A). The memo authority does not allow an Agency/Service to authorize SIT of HHG extension beyond 180 days (par. C5191). The USD (P&R) memo is found at:

<http://www.cpmc.osd.mil/ASSETS/D6393349C41E421AB3CBB78AB35D9A9A/Feb122008.pdf>