



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

April 1, 2024

CBCA 7896-TRAV

In the Matter of VINCENT T.

Vincent T., Claimant.

Maydee Oquendo-Flores, Field Chief, United States Mint, Department of the Treasury, Philadelphia, PA, appearing for Department of the Treasury.

O'ROURKE, Board Judge.

Claimant, a civilian employee of the United States Mint, challenges the agency's denial of a portion of his parking fees, which were incurred pursuant to authorized travel. The agency's policy at the time of claimant's travel instructed employees to park in the economy lot, which he did not do. Because claimant's orders allegedly authorized a higher amount for parking, and he had parked in the same lot on other trips and was fully reimbursed, claimant seeks reimbursement for the overage. In light of the agency's policy, the regulation against paying excess costs, and the prudent traveler rule, we deny the claim.

Background

Claimant was authorized to travel from his official duty station in Pennsylvania to complete a "melt," or destruction of old U.S. coinage, in Illinois. He and several other agency officers departed from the airport on September 5, 2023, and returned on September 9, 2023. While on travel, claimant's car was parked in the airport's short-term parking lot. Using the short-term lot's hourly pay structure, claimant incurred a parking fee of \$93. The other officers parked in the economy parking lot, which had a flat fee of \$15 per day, making the total parking fee for each of the other officers only \$60.

When claimant returned from his travel, he sought reimbursement of the \$93 parking fee, among other travel expenses. The agency returned the request to claimant on September 11, 2023, with a note saying, “Agency will only reimburse travelers the cost of the economy parking lot fee of \$15/day. Please amend the voucher.” Claimant then changed his request to \$20 per day, or \$80 total, stating that the agency had authorized this amount prior to travel. The agency again returned the request to claimant and stated that it would only pay \$60, the amount he would have incurred if he had parked in the economy lot. There is no indication in the record that the agency had approved any request from claimant allowing \$20 per day in parking fees. Subsequently, claimant brought this travel expense claim to the Board, seeking reimbursement of \$20.¹

The record shows that before the COVID-19 pandemic, the agency would consistently reimburse officers for parking fees associated with the airport’s economy lot. However, in March 2020, the airport closed the economy lot due to the impact of the pandemic on air travel. While the economy lot was closed, the agency authorized reimbursement of parking fees accrued in the airport’s short-term lot. In March 2022, claimant parked in the airport’s short-term lot while on authorized travel, and the agency reimbursed him in full.²

On April 21, 2022, the airport reopened its economy lot. The agency became aware of this change in late 2022 and, as a result, sent an email to the Mint Police Supervision office on December 12, 2022, with the instruction to notify all officers that, for official travel, agency officers are only authorized to park in the economy lot. That same day, during claimant’s shift briefing, the briefing notes highlighted the new policy:

1. When on official travel, employees will park at the Economy Parking Lot on Island Ave & Penrose Ave. Anyone [who] parks at the short term lot will be responsible for the difference in parking rates.

The agency’s “Police Activity Log” confirms that claimant was present on the day of this meeting.

¹ Neither party clearly states the amount in dispute. Twenty dollars is the difference between claimant’s last reimbursement request to the agency, \$80, and the amount the agency agreed to reimburse claimant, \$60.

² Claimant included a receipt with his claim. Below the receipt is a hand-written comment: “This is a receipt from the last time we traveled back in March 2023. This was reimbursed.” The receipt shows a date of March 2022—not 2023. The agency acknowledges that the referenced parking fee from March 2022 was reimbursed in full.

Discussion

To decide claims related to official travel expenses, we rely on the Federal Travel Regulation (FTR). Generally, agencies may reimburse travelers for parking fees associated with leaving their POV at a common carrier terminal while away on official travel. *See* 41 CFR 301-10.308 (2023). However, travelers are responsible for any excess costs:

§ 301-2.4 For what travel expenses am I responsible?

You are responsible for expenses over the reimbursement limits established in this chapter. *Your agency will not pay for excess costs* resulting from circuitous routes, delays, or luxury accommodations or services unnecessary or unjustified in the performance of official business. Failure to provide sufficient justification to your approving official for such accommodations or services will limit your reimbursement to the constructive cost of the amount authorized versus the amount claimed.

Id. 301-2.4 (emphasis added).

Claimant asserts that the parking policy was “never sent out to the [officers]” and that he was not aware that agency employees are only authorized \$15 per day for parking. On the contrary, evidence in the record establishes that the agency sent the email, and that claimant, along with other employees, was notified of the change during a shift briefing, which he attended in December 2022.

Furthermore, “[f]ederal employees are expected to ‘exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business.’” *Winston S. Zack*, CBCA 6382-TRAV, 19-1 BCA ¶ 37,308, at 181,477 (quoting 41 CFR 301-2.3). This rule, known as the prudent traveler rule, imposes a duty on all federal employees to learn the rules and comply with them, especially when it comes to spending government funds. *See Tanya L. Gogue*, CBCA 6353-TRAV, 19-1 BCA ¶ 37,341, at 181,596 (Board denied employee’s claim for travel by premium car service to the airport because a regular taxi would have been less expensive, noting that “claimant’s rationale to . . . expend more than reasonably necessary is not what a prudent person would do and not what the policies dictate for reimbursement of government expenses.”).

In addition, the FTR specifically addresses reimbursement of parking fees at the airport:

§ 301-10.308 What will I be reimbursed if I park my POV at a common carrier terminal while I am away from my official station?

Your agency may reimburse your parking fee as an allowable transportation expense not to exceed the cost of one of the following to/from the terminal as determined by your agency:

- (a) The cost of a taxi.
- (b) The cost of a [transportation network company] fare.
- (c) The cost of using an innovative mobility technology company.

41 CFR 301-10.308.

This provision gives the agency broad discretion to pay parking fees, to include the discretion *not* to pay them (“Your agency *may* reimburse your parking fee.”). It also authorizes an agency to establish limits on reimbursing parking fees. Here, the agency exercised its discretion and established a limit based on the daily parking rate of the economy lot. In light of the agency’s discretion, claimant’s inquiry about his travel orders authorizing a \$20-per-day rate was understandable. Although the travel orders are not in the record, a finance representative explained that the rate to which claimant referred was an estimate.

Decision

The claim is denied.

Kathleen J. O'Rourke
KATHLEEN J. O'ROURKE
Board Judge