



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

May 16, 2024

CBCA 8050-TRAV

In the Matter of JUSTICE H.

Justice H., Claimant.

Donald C. Hoffman, Financial Management Analyst, Commander, Navy Installations Command, Department of the Navy, Hampton, VA, appearing for Department of the Navy.

GOODMAN, Board Judge.

Claimant is a civilian employee of the Department of Defense. He seeks the Board's review of the agency's denial of reimbursement of travel expenses he incurred during temporary duty (TDY) travel.

Background

At the time of the TDY travel, claimant was a recently-hired agency employee. The Defense Travel Service (DTS) travel agency, SATO Travel (SATO), scheduled claimant's first TDY travel, which included round-trip airfare from Washington, District of Columbia (DCA airport) on Sunday, February 25, 2024, to Gulfport, Mississippi, with a return flight on Saturday, March 2, 2024.

According to the claimant,¹ two days before the departure date, he made several calls to verify that the flight was funded and was told that it was not. He made a final effort to verify funding the morning of departure by calling SATO but was placed on hold for an extended period. Claimant then requested a callback, which he received shortly before the

¹ The following narrative is summarized from claimant's initial submission to the Board and responses to the Board's April 23, 2024, order seeking additional information.

time scheduled for departure. However, because his residence is over an hour away from the airport, there was not sufficient time to travel to the airport in time to make the flight. He therefore rescheduled through SATO for departure for the next day, Monday, February 26, 2024. When claimant spoke to the SATO representative, he was informed that both flights “had been rebooked.” He received a notification via the SATO telephone application (app) showing a departing flight from DCA to Gulfport on February 26, 2024, and a returning flight to DCA on March 2, 2024. As the SATO app was updated, he states that he “trusted what [he] saw.”

Claimant states further that when he attempted to receive his boarding pass at the airport for the return flight, the airline customer service representative informed him that his flight had not been funded, despite the fact that his reservation was in the airline’s system. The airline customer service representative made a phone call to her supervisors and then informed claimant of the price of the ticket. Due to the extenuating circumstances and the minimal time he had until departure, claimant could not recall the price that was paid through DTS nor could he verify that the rate offered was the government rate. However, he trusted that the representative gave him the government rate. Claimant therefore used his government-issued travel card to pay \$343.60 for the return ticket.

The agency has reimbursed claimant \$243, the cost of the return flight at the government rate. Claimant seeks reimbursement of \$100.60, the difference between the ticket he purchased and the amount reimbursed.

Discussion

At the time of the TDY, claimant was an agency new hire and a first-time traveler. While his TDY itinerary and airfare were properly arranged through the DTS and SATO, the cause of the funding issues and reasons for the lack of funding with regard to both his departing and returning flights have not been explained by the agency.² Claimant acted prudently by relying upon the confirmation of the itinerary he received from SATO before departure. When he was informed that his ticket for his return flight had not been funded, he did not realize that the airline’s updated airfare exceeded the rate for a government-issued ticket, and he purchased the ticket in order to return home on time.

² The agency’s report to this Board described inter-office communication between individuals whose positions and authority were not identified. The report did not explain why claimant’s initial flight was not funded until soon before his departure nor why his return flight was not funded. The agency did not respond to the Board’s April 23, 2024, order that sought explanation of the funding issues.

While the agency has reimbursed claimant for the cost of a government-issued ticket, it views the additional \$100.60 paid by claimant as an unauthorized cash purchase of common carrier transportation and has denied reimbursement of that amount.

The Federal Travel Regulation provides in 41 CFR 301-51.102 (2023):

How is my transportation reimbursement affected if I make an unauthorized cash purchase of common carrier transportation?

If you are a new employee or an invitational or infrequent traveler who is unaware of proper procedures for purchasing common carrier transportation, your agency may allow reimbursement for the full cost of the transportation. In all other instances, your reimbursement will be limited to the cost of such transportation using the authorized method of payment.

As a new employee and first-time traveler, claimant is within the class of travelers covered by this regulation. Accordingly, consistent with the regulation, the agency is to reimburse the claimant for the full cost of the transportation purchased. *Ronnette Megrey*, CBCA 2240-TRAV, 11-1 BCA ¶ 34,768, at 171,109-10.

Decision

Claimant is entitled to a \$100.60 reimbursement from the agency.

Allan H. Goodman

ALLAN H. GOODMAN
Board Judge