



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

January 7, 2011

CBCA 2120-TRAV

In the Matter of BRIAN T. HARRIS

Brian T. Harris, Chesapeake, VA, Claimant.

Virginia Eilmus, Office of the Judge Advocate General, Department of the Navy, Norfolk, VA, appearing for Department of the Navy.

STERN, Board Judge.

Claimant, a civilian employee of the Department of the Navy (Navy), seeks reimbursement in the amount of \$248.21 for the costs of clothing that he purchased while on temporary duty travel.

Background

Claimant, stationed in Chesapeake, Virginia, was issued travel orders to attend a conference in Manchester, England. Claimant states that his baggage was lost for forty-eight hours, and as a result, he needed to purchase clothes so that he could dress in proper business attire for attendance at the conference. Claimant purchased shoes, socks, pants, a shirt, and a tie at a cost of \$248.21. Claimant states that he has received no reimbursement from the airline. He filed a claim with the Navy for reimbursement of his expenses under the Military Personnel and Civilian Employee Claims Act, 31 U.S.C. § 3721 (2006) (hereinafter "Employee Claims Act"). This claim was denied by the Navy. Claimant asks the Board to consider his claim for reimbursement of his expenses.

Discussion

The Board's authority to settle travel claims is that delegated by the General Services Administration. We may consider whether expenses incurred by federal civilian employees for official travel and transportation are reimbursable under the Federal Travel Regulation

(FTR) and, in the case of civilian employees of the Department of Defense, the Joint Travel Regulations (JTR). 31 U.S.C. § 3702(a)(3). We consider this claim under the authority granted to the Board. We do not review the Navy's decision under the Employee Claims Act. An agency's settlement of a claim under the Employee Claims Act is final and conclusive and not reviewable by this Board. *See Donald Dudley*, B-215327 (Aug. 3, 1983).

There is no provision in the FTR or JTR permitting reimbursement for this type of expense. The costs of clothing purchased to replace items lost during the course of travel are not reimbursable under the regulations. *Thomas J. May*, GSBCA 15030-TRAV, 99-2 BCA ¶ 30,488.

Decision

The claim is denied.

JAMES L. STERN
Board Judge