



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

April 25, 2012

CBCA 2707-TRAV

In the Matter of STANLEY R. BUSH

Stanley R. Bush, St. Louis Park, MN, Claimant.

Mim Aiken, Executive Assistant, Department of Veterans Affairs, Arlington, TX, appearing for Department of Defense.

BORWICK, Board Judge.

Claimant, Stanley R. Bush, requests reconsideration of our decision in *Stanley R. Bush*, CBCA 2707-TRAV (Mar. 8, 2012). Familiarity with that decision is presumed. For the reasons below, save for clarification of the administrative posture of the claim, we deny reconsideration.

Claimant sought reimbursement of all expenses incurred during two segments of his authorized temporary duty (TDY) travel, the first segment from Minneapolis, Minnesota, to Nashville, Tennessee, and the second segment from Nashville, Tennessee, to Kansas City, Kansas. For budgetary reasons, the agency, the Department of Veterans Affairs, by e-mail message to claimant, his administrative assistant, and all other affected employees, canceled the second segment while claimant was on TDY in Nashville.

Despite the agency's cancellation of the second segment, claimant proceeded to Kansas by airplane. Claimant says he flew to Kansas unaware of the cancellation, because the agency used an obsolete personal e-mail address and because his administrative assistant did not inform him of the cancellation in a timely manner. The agency maintains that claimant should have been aware of the second-segment cancellation while he was in Nashville and should not have proceeded to Kansas.

The airfare was direct-billed to the agency; the cost of the indirect airline route from Minneapolis to Nashville, Nashville to Kansas City, and Kansas City to Minneapolis is more than the cost of the direct round-trip route between Minneapolis and Nashville. Consequently, in processing claimant's travel voucher, although the agency is prepared to reimburse claimant for allowable expenses of the trip, it will seek reimbursement from claimant of the difference in airfare between the indirect and direct routes.

In submitting his claim to the Board, claimant argued that the agency should treat the cost of the indirect route as a legitimate expense in processing his travel voucher and should not seek reimbursement from claimant of the difference between the cost of the indirect route and the direct route. The Board denied the claim, holding that claimant's trip to Kansas was not necessary for the conduct of official business of the Government and that claimant did not act as a prudent traveler in failing to ascertain the status of the Kansas City leg of the trip while he was in Nashville. The Board does not fault claimant's assistant; rather, claimant should have made necessary inquiries.

In the motion for reconsideration, claimant raises inconsequential quibbles with our findings concerning the surrounding circumstances of the trip. In its response to the motion for reconsideration, the agency notes that not only was the cancellation e-mail sent to claimant's personal, but allegedly obsolete, e-mail address, but it was also sent to claimant's Blackberry through the agency e-mail system, and that claimant could have accessed the cancellation e-mail through the Blackberry.

Claimant has presented no facts or argument that would change the original result in this matter. Save for the clarification of the administrative posture of the claim, i.e., who will seek reimbursement from whom, the motion for reconsideration is denied. The agency may use an offset in determining if claimant is due money for the trip as a whole or must repay money.

ANTHONY S. BORWICK
Board Judge