



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

March 22, 2012

CBCA 2497-TRAV

In the Matter of RAYMOND F. URENA

Raymond F. Urena, Columbia, MD, Claimant.

Sheila C. Branch, Deputy Director, Administration, Finance Center, United States Army Corps of Engineers, Millington, TN, appearing for Department of the Army.

DANIELS, Board Judge (Chairman).

The Army Corps of Engineers sent Raymond F. Urena on temporary duty to Honolulu, Hawaii, for the months of May, June, and July 2010. In mid-May, he was sent further afield – to Seoul, Korea – for four days. Mr. Urena requested, and was paid by his agency, reimbursement for thousands of dollars he spent while on this assignment for transportation, lodging, and meals and incidental expenses.

In June 2011, the Corps told him that it had overpaid him for his expenses and demanded repayment of \$368. The agency did not explain how it had determined that it had made an overpayment or how it had calculated the amount of the alleged debt. Mr. Urena asked the Board to review the matter.

As we do in all cases involving federal civilian employees' travel and relocation expense claims, we asked the agency for a response. The Corps explained that it routinely audits a random sample of travel vouchers which involve disbursements of more than \$2500, and that audits are sometimes performed several months after vouchers are presented. Mr. Urena's vouchers had been selected for audit in May 2011. The auditor concluded that the agency had made several errors in computing reimbursable expenses. It had overpaid Mr. Urena a total of \$669 – \$149 for lodging on May 3, \$149 for lodging on May 20, and \$371 for meals and incidental expenses on May 18, 20, and 21. The auditor also concluded that

the agency had underpaid Mr. Urena a total of \$285 – \$255 for lodging and meals and incidental expenses on May 23 and \$30 for meals and incidental expenses on May 18. The net amount of overpayment found by the auditor was \$384. The Corps maintains that the figure of \$368 which it cited in the demand for payment is the result of an arithmetic mistake.

After reviewing the Corps' detailed explanation, Mr. Urena takes issue with only one of the auditor's assertions. He contends that reimbursement of \$149 for lodging in Hawaii on May 20 was appropriate because he was authorized dual lodging for the time he was in Korea, including that day. The claimant explains that the dual lodging was appropriately authorized because he had negotiated a favorable daily room rate in Hawaii, and maintaining that rate was dependent on his keeping the room over an extended period of time.

Mr. Urena's point is well taken; the auditor's finding as to lodging on May 20 is not correct. Because the employee has given us no reason to question the other conclusions of the auditor, however, we must accept them as true. Although we agree with Mr. Urena that an audit closer in time to the presentation of his vouchers would have been preferable, and the kind of explanation the Corps has provided now should have been given prior to or contemporaneously with the demand letter, these concerns cannot alter our view of the merits of the matter. The Corps overpaid Mr. Urena not \$384, but rather, \$235, in reimbursable travel expenses while he was on this temporary duty assignment. The employee must repay this amount to the agency.

STEPHEN M. DANIELS
Board Judge