



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

March 28, 2012

CBCA 2747-TRAV

In the Matter of CHONG WANG

Chong Wang, Monterey, CA, Claimant.

K. L. Little, Naval Postgraduate School, Monterey, CA, appearing for Department of the Navy.

DANIELS, Board Judge (Chairman).

Chong Wang paid for hotel lodging expenses through an online booking service when he traveled on government business in July 2011. His employer, the Department of the Navy, has declined to reimburse him for those expenses. The department relies on the following provision of the Joint Travel Regulations (JTR), which was in effect at the time Mr. Wang traveled:

On-Line Booking Tool. . . . ***Lodging reimbursement is not authorized for hotel lodging obtained through online booking agents unless an itemized receipt from the hotel is provided.***

JTR C4555-B.5; *see also id.* T4040-A.8.

Other Department of Defense travelers have found themselves in the same predicament and have asked us to direct that they be reimbursed for the hotel lodging expenses they incurred as a result of having booked their rooms with an online service. In *Scott M. Torrice*, CBCA 2431-TRAV, 11-2 BCA ¶ 34,839, we explained why those travelers should receive reimbursement. Under statute, government employees who travel on official business are entitled to reimbursement for lodging expenses as a matter of right. The Federal Travel Regulation (FTR) reasonably requires that receipts be provided as a condition of

payment for these expenses, but it does not limit the source of receipts that may be required. The JTR provision in question was intended to preclude reimbursement for lodging where receipts contain only “bottom line” amounts and do not specify the portions which are attributable to lodging. The provision must be read consistent with the governing statute and the FTR, and with the purpose of the provision, to permit reimbursement where itemized receipts from an online booking agent and a hotel demonstrate that the traveler actually stayed in the hotel on the nights specified and actually paid specified amounts for the use of the room. *See also Emily J. Rypma*, CBCA 2511-TRAV, 12-1 BCA ¶ 34,891 (2011); *Scott R. Wilson*, CBCA 2563-TRAV, 12-1 BCA ¶ 34,896 (2011).

Mr. Wang’s situation is identical in all essentials to those faced by the employees in *Torrice*, *Rypma*, and *Wilson*. He has given the Navy documentation that he paid specified amounts for his hotel room, and taxes and fees on those amounts, on each of the two nights in question. We consequently direct the Navy to reimburse him for his lodging expenses – provided that the amounts are within the maximum per day limit for the location to which he traveled. If Mr. Wang can demonstrate that some or all of the taxes and fees he paid represent true hotel taxes in the location of the hotel, the Navy should reimburse him for those amounts as well.

In *Rypma*, we noted that the JTR was amended, effective November 1, 2011, to be consistent with our holding in *Torrice*. The provision now reads:

On-Line Booking Tool. . . . *Lodging reimbursement is authorized for hotel lodging obtained through an online booking agent only when the traveler can provide a documented itemized receipt for room costs from the hotel or online booking agent showing the following charges (CBCA 2431-TRAV, 13 September 2011):*

- (1) Daily hotel room costs;
- (2) Daily hotel taxes; and,
- (3) Daily miscellaneous fees, if applicable.

JTR C4555-B.5; *see also id.* T4040-A.8. With this change, Department of Defense travel officials and auditors should have a clear understanding of the rules as they apply to employees who have traveled since November 1.

STEPHEN M. DANIELS
Board Judge