



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

September 19, 2013

CBCA 3437-TRAV

In the Matter of KAREN LYNN

Karen Lynn, Arlington, VA, Claimant.

Charles N. Stowell, Financial Management Analyst, Bureau of the Comptroller and Global Financial Services, Department of State, Washington, DC, appearing for Department of State.

DANIELS, Board Judge (Chairman).

Karen Lynn, an employee of the Department of State, circumnavigated the globe by air, on assignment from her agency, in February and March of 2013. On the first leg of this trip, Ms. Lynn left Washington, D.C., on February 4, crossed the international date line, and arrived in Tokyo on February 5. She and the department disagree as to the per diem allowance for this part of the trip. The department paid a single day's per diem (three-quarters of the amount for Tokyo, since this was the first day of Ms. Lynn's travel). The employee maintains that she should have been paid for two days' per diem (one and three-quarters of the amount for Tokyo), since she was in travel status on both the 4th and 5th of February.

The department is correct. As prescribed by its Foreign Affairs Manual, "When a traveler crosses the international date line (180th meridian), actual elapsed travel time will be used to compute per diem entitlement rather than calendar days in accordance with Federal Travel Regulation [FTR] Section 301-11.19." 14 FAM 573.3. The referenced section of the FTR similarly states:

How is my per diem calculated when I travel across the international dateline (IDL)?

When you cross the IDL, your actual elapsed travel time will be used to compute your per diem entitlement rather than calendar days.

41 CFR 301-11.19 (2012). Ms. Lynn's flight left Washington on the afternoon of February 4, which was early in the morning of February 5 in Tokyo. The flight arrived fourteen hours later, on the afternoon of February 5. Ms. Lynn was actually on travel status for less than twenty-four hours on that day, and although the number of the day changed as she crossed the international date line, she was traveling on a single day by her destination's time.

STEPHEN M. DANIELS
Board Judge