



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

January 31, 2013

CBCA 2956-TRAV

In the Matter of XIAOMING M. CHEN

Xiaoming M. Chen, Whippany, NJ, Claimant.

Adrienne K. Price, Counsel, Finance Center, United States Army Corps of Engineers, Millington, TN, appearing for Department of the Army.

STERN, Board Judge.

Claimant was authorized official travel by the United States Army Corps of Engineers (Army). Claimant's orders authorized the rental of a motor vehicle. Claimant did not use the Army's travel office when he rented a vehicle during the performance of his travel. Instead, he made his own arrangements and rented a vehicle at a special weekly rental price of \$66.47. In addition to this base rate, claimant elected to obtain the loss collision waiver insurance at a cost of \$114.95 and emergency roadside insurance at a cost of \$14.95. Claimant submitted a claim in the amount of \$247.04 to cover all of his rental car expenses. The Army reimbursed the full amount to claimant for these costs. However, upon review, the Army finance office disallowed the costs of the collision damage waiver and the emergency roadside service, a total of \$129.90. The Army assessed claimant with a debt for this amount. Claimant asks that we cancel this debt.

Discussion

Claimant submits that he is entitled to be paid the full amount of his claim since he saved the Government money, as the rental charge would have been in excess of \$400 had he used the Army's travel office.

As an employee of the Department of Defense, claimant is subject to the Joint Travel Regulations (JTR) as well as the Federal Travel Regulation. The JTR provides that it is mandatory policy for a traveler to use the available travel office to obtain a rental vehicle. JTR C3330-B. The regulations also provide that when the travel office is not used, the reimbursement is limited to what the cost would have been had the travel office made the rental vehicle arrangements. JTR C3330-I. In this instance, the Army has not challenged claimant's assertions that the rental costs to the Army would have been greater than claimant's total expenditure. However, the JTR specifically states that the expense of rental car insurance is not reimbursable. JTR app. G. We find that the amounts spent by claimant on the collision damage waiver and for emergency roadside insurance fall within this prohibition. Though the costs incurred by claimant were less than the Government would have spent had the travel office been used, claimant may not be reimbursed costs for expenses that the regulation specifically states are not allowable.

Decision

The claim is denied.

JAMES L. STERN
Board Judge