



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

June 17, 2014

CBCA 3667-TRAV

In the Matter of JOE L. CUSTER

Joe L. Custer, Mead, OK, Claimant.

Shirley (Lee) Autry, Deputy Director, Finance Center, Army Corps of Engineers, Millington, TN, appearing for Department of the Army.

VERGILIO, Board Judge.

Claimant is not entitled to retain reimbursement of the costs of renting a car trailer to transport a personally owned vehicle for use at his temporary duty station.

The claimant, Joe L. Custer, a civilian employee of the Army Corps of Engineers, takes issue with the agency's debt collection claims for \$885.01 and \$563.76, associated with the claimant's rental of a trailer to haul a privately owned vehicle for use during a temporary duty assignment. The claimant was on temporary duty travel from his duty station for approximately 158 days, from February 1 through July 8, 2013. The claimant used one personally owned vehicle (that of his wife) to tow the car trailer carrying his own privately owned vehicle. Among other costs not here on review, the agency reimbursed the claimant at the mileage rate (a fixed rate per mile) for transporting one privately owned vehicle driven to and from the temporary duty station. The agency also reimbursed the claimant for the trailer rental costs. The agency has determined that the trailer costs should not have been reimbursed to the claimant; the agency seeks repayment from the claimant of \$1448.77. The claimant maintains that the trailer rental costs, incurred separately for the trip to and from the temporary duty station, represented a savings over the cost of a rental car at the temporary duty station.

The applicable Federal Travel Regulation (FTR) identifies reimbursable expenses in addition to the mileage rate allowance when a privately owned vehicle is utilized. The rental costs for a trailer are not reimbursable expenses. 48 CFR 301-10.304 (2012).

The claimant was reimbursed for transporting one vehicle to and from the temporary duty station. He seeks to retain the reimbursement in connection with transporting two vehicles to the location, the mileage rate for one and trailer rental for the other. The claimant's assertions that the rental of a trailer and use of his privately owned vehicle constitute cost savings when compared to rental car costs are spurious. The comparison ignores the fact that the agency had paid the claimant to transport one privately owned vehicle to and from the temporary duty station. The costs of renting the trailer are extra expenses (that is, in addition to the costs of transporting a privately owned vehicle to and from the temporary duty station which would result in a vehicle at the temporary duty station) and, because in excess, do not represent savings.

The agency correctly determined that it overpaid the claimant \$1448.77 and that the claimant is obligated to refund that amount. The Board denies the claim.

JOSEPH A. VERGILIO
Board Judge