



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

July 2, 2014

CBCA 3842-TRAV

In the Matter of MICHAEL R. DENNEY

Michael R. Denney, Portland, OR, Claimant.

Randy L. Keuten, Senior Program Analyst, VA Learning University, Department of Veterans Affairs, Washington, DC, appearing for Department of Veterans Affairs.

VERGILIO, Board Judge.

Claimant is not entitled to costs incurred incident to personal travel (metro fare and tolls) while on temporary duty travel.

The claimant, Michael R. Denney, had temporary duty travel to Frederick, Maryland. Instead of beginning travel on Sunday, December 8, 2013, and ending travel on Saturday, December 14, 2013, the claimant took personal leave at the start, and departed on December 5. He flew into Reagan National Airport (DCA). There he did not pick up a rental car, although his travel arrangements identified DCA as the rental car pick-up location. Instead, he took public transportation, the metro, to a location of his personal choice. For the metro, he seeks reimbursement of \$7, although this does not appear to be the correct dollar amount one would incur for the trip identified. The claimant seeks this amount, stating that it got him part way to Dulles Airport (IAD) where he picked up a rental vehicle on December 8. The claimant also seeks reimbursement of \$8.20--\$4.10 for each of two trips on a toll road, one each on December 8 and 13. The agency has denied reimbursement of the metro amount and the tolls, concluding that the claimant incurred those expenses for personal travel as he would not have incurred those expenses had he departed from and returned directly to DCA. The claimant here seeks to recover the \$15.20, as he continues to dispute the agency's conclusions.

The applicable Federal Travel Regulation (FTR) dictates both that a traveler is to travel to a destination by the usually traveled route, unless an agency authorizes or approves a different route as officially necessary, and that reimbursement is limited to the cost of travel

by a direct route or on an uninterrupted basis if an employee travels by an indirect route or interrupts travel by a direct route. 48 CFR 301-10.7, .8 (2013).

The claimant bears the burden of proof. The agency correctly determined that the claimant incurred the expenses for personal, not official, reasons. None of the expenses would have been incurred or appropriate had the claimant picked up the rental car from DCA, departed directly to the temporary duty station, and returned directly from the temporary duty station to DCA. Each cost was incurred because of personal choices, not required by official business.

The claimant contends, without proof, that picking up the rental car from IAD represented an overall cost savings to the agency. Without proof, one cannot conclude that the purported savings off-set the extra expenditures for the metro ride and the outbound toll. The return toll can only be deemed to have been incurred for personal reasons, as a more direct route for return would have avoided the toll road. That the claimant did not incur a hotel cost for the night of December 13 does not entitle the claimant to receive reimbursement of costs incurred for personal reasons. There is no off-setting as the claimant intimates.

The agency provided the claimant with appropriate analysis for its actions as it correctly determined that the claimant is not entitled to receive the \$15.20 in dispute. The Board denies the claim.

JOSEPH A. VERGILIO
Board Judge