



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

January 29, 2015

CBCA 4059-TRAV

In the Matter of THOMAS BUKER

Thomas Buker, Patuxent River, MD, Claimant.

Bonnie Petree, Travel Department Comptroller, Naval Air Warfare Center Aircraft Division, Department of the Navy, Patuxent River, MD, appearing for Department of the Navy.

STERN, Board Judge.

Claimant, traveling on official business for the Naval Air Space Command from the Washington, D.C., area to Panang, Malaysia, departed his home at 6:00 a.m. on June 13, 2014, en-route to Washington Dulles Airport.¹ His flight departed at 12:25 p.m. and arrived in Tokyo on June 14 at 3:10 p.m. local time. Claimant had a three-hour layover in Tokyo, departed at 6:00 p.m., and arrived in Singapore at 12:10 a.m. local time. Claimant next had an eight-hour layover in Singapore prior to the last leg of his trip, an 8:05 a.m. departure to Panang. The scheduled arrival time was 9:30 a.m. (Sunday). Since claimant had been traveling for over thirty-one hours from his departure from home to his arrival in Singapore, and would have spent over forty hours traveling upon his scheduled arrival, he rented space at an airport transit lounge, “to get some sleep and take a shower,” at a cost of \$47.11. The Naval Air Warfare Center Aircraft Division (NAWCAD) denied the claim on the basis that

¹ Claimant traveled with another employee, Michael Kohn, named in various correspondence from both parties. Though we address only the claim of claimant, assuming identical circumstances, our determination applies equally to Mr. Kohn.

it had no authority to pay for this type of expense. NAWCAD argues that claimant should have departed for his destination a day earlier so that he could have stayed at a hotel.

The Joint Travel Regulations (JTR) provide that a traveler on official orders is entitled to reimbursement of lodging fees and daytime lodging charges. These charges include “airport daytime lodging facilities due to travel arrangements that are not for the traveler’s convenience.” JTR app. G at G-4. The Federal Travel Regulation (FTR) provides for traveler reimbursement for non-conventional lodging: “You may be reimbursed the cost of other types of lodging when there are no conventional lodging facilities in the area.” 41 CFR 301-11.12(a)(4) (2013). Here, due to time constraints, it was not practical for claimant to leave the airport and check into a hotel during the brief period of his layover between flights. Claimant had been traveling en-route to his final destination for over thirty hours. Under these circumstances, we find it reasonable for claimant to have incurred the cost of a temporary lodging facility at the airport. The regulations permit reimbursement under these circumstances.

Decision

Claimant is entitled to be reimbursed \$47.11 for the cost of the temporary lodging he incurred.

JAMES L. STERN
Board Judge

