



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

July 31, 2015

CBCA 4748-TRAV

In the Matter of DALE M. McCLELLAN

Dale M. McClellan, Bryant, AR, Claimant.

Thomas E. Rosso, Program Management Branch Chief, Edgewood Chemical Biological Center, Department of the Army, Aberdeen Proving Ground, MD, appearing for Department of Defense.

VERGILIO, Board Judge.

The claimant, who parked at an airport during a temporary duty travel period, was not entitled to more than the cost of taxi fare to and from the terminal.

The claimant, Dale M. McClellan, a civilian employee, was on temporary duty (TDY) travel set for twenty-three days, from April 3 to 25, 2015. The claimant lacked written authorization to park at airport parking for this extended period of time. The claimant utilized airport parking for the period. He incurred costs of \$250.70. The agency reimbursed the claimant \$160.79, said to be the equivalent of airport parking for fourteen days. The claimant seeks the difference, indicating that he has been reimbursed parking fees for extended periods by the agency in the past.

The applicable Federal Travel Regulation (FTR) states that an agency may reimburse an employee for the parking fee at a common carrier terminal while the employee is away from an official duty station, not to exceed the cost of taxi fare to/from the terminal. 41 CFR 301-10.308 (2014). The Department of Defense's Joint Travel Regulations (JTR) specify that transportation terminal parking fees, not to exceed the cost of two one-way taxicab fares (including tips), may be reimbursed to an employee who is on TDY. JTR 2830 (transportation terminal parking fees), 4780-C. The record demonstrates that a reasonable taxi fare (including tip) would have been \$54 each way. Twice this amount, or \$108, is the amount of reimbursement the claimant should have received. *Daniel McLoughlin*, CBCA 1924-TRAV, 10-1 BCA ¶ 34,426.

The agency references local procedures for Chemical Biological Application and Risk Reduction (CBARR) mission employees. One such provision states that travel will be conducted in accordance with the JTR, with clarifications to facilitate compliance. One of these clarifications states:

Airport Terminal Parking: During TDY that is expected to last 2 weeks or greater, the traveler is expected to use means of transportation to avoid excessive parking fees. Options for traveler include rental car, taxi, shuttle or use of government vehicle and driver from work site to airport. If a rental car is used for transport, it must be picked up no more than 24 hours prior to departure and returned no more than 24 hours after arrival.

The record does not demonstrate that the local rules reflect an authorized deviation from the FTR or JTR, which establish the maximum amount of reimbursement for the airport parking as the constructive taxi fare.

The claimant relies on earlier travel when he received full compensation for airport parking; however, those travel situations involved temporary duty travel that was extended to longer than two weeks after the claimant had been authorized to utilize his vehicle for transport to and from the airport and after the assignments had commenced. Those past practices are not relevant to this situation.

The claimant is not entitled to the additional reimbursement sought.

JOSEPH A. VERGILIO
Board Judge