



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

November 17, 2022

CBCA 7493-TRAV

In the Matter of AYDIN C.

Aydin C., Claimant.

Patcharapun A. Techathuvanun, Supervisory Voucher Examiner, Post Support Unit, Bureau of the Comptroller and Global Financial Services, Department of State, Pathumwan, Bangkok, appearing for Department of State.

BEARDSLEY, Board Judge (Chair).

Claimant, an engineer/regional security technician for the Department of State (DOS), seeks to recover \$134.62 for official travel from Ankara to Adana, Turkey, in August 2022. After claimant filed his claim, DOS agreed to reimburse claimant for the items claimed, except for the constructive cost of a seat selection change fee, for a total of \$79.70. We agree with DOS that claimant is entitled to \$79.70 and deny reimbursement for the seat selection change fee.

Background

Claimant works for DOS at the United States embassy in Ankara, Turkey. He traveled on official business to his temporary duty (TDY) assignment in Adana, Turkey, from August 8 to August 12, 2022. While claimant was on travel, the decision was made to extend the trip to Adana an additional day to August 13, 2022. Claimant was authorized to travel by air but instead elected to use his personally owned vehicle (POV).

Claimant submitted a voucher in which he provided the constructive cost of travel by air, including such transportation expenses as a seat selection fee (\$60 (\$30 x 2)), airline change fee (\$15), shuttle costs to and from the airport in Ankara (\$48 (\$24 x 2)), and taxi

costs from the airport to the jobsite on the day he arrived in Adana (\$8.35). DOS agreed to reimburse claimant only the constructive cost of the airfare (\$250).

Claimant filed a claim with the Board for \$134.62¹ in expenses. In response to the claim, DOS agreed that claimant was entitled to the constructive cost for the airline change fee (\$15), the taxi to and from the airport in Adana (\$16.70 (\$8.35 x 2)), and the shuttle to and from the airport in Ankara (\$48 (\$24 x 2)), for a total of \$79.70. DOS specifically disallowed recovery of a seat selection fee.

Discussion

As a civil service employee of DOS, claimant is subject to the Federal Travel Regulation (FTR) and DOS's Foreign Affairs Manual (FAM). *Edward J. Zehler*, CBCA 1343-TRAV, 09-2 BCA ¶ 34,233, at 169,195. The FTR provides that when a federal employee is authorized to use common carrier transportation and elects to use a POV instead, the agency must "[l]imit reimbursement to the constructive cost of the authorized method of transportation, which is the sum of per diem and transportation expenses the employee would reasonably have incurred when traveling by the authorized method of transportation." 41 CFR 301-70.105 (2021) (FTR 301-70.105).

The FAM also provides guidance on this issue consistent with the FTR requirement to reimburse travel expenses based on the cost-construct of the authorized mode of travel "plus related per diem and other expenses." 14 FAM 566.3-1(2). The FAM specifically allows for reimbursement for transportation "[b]etween place of lodging or employee's home and common carrier transportation terminal in connection with official travel." 14 FAM 562.2(a)(9)(c). The FAM specifically disallows reimbursement for seat selection fees when cost construction is used. 15 FAM 567.2-1(d)(3). The Mission Turkey Official Travel Policy also allows "[f]or travel to/from the airports in Ankara . . . , travelers may use the . . . airport shuttle service. . . . Official travelers in Adana may take a taxi to/from the airport." Claim, Attachment 3 at 10.

We agree with DOS that claimant is entitled to the constructive cost of the shuttle to and from the airport in Ankara (\$48), the airline change fee (\$15), and the taxi costs to and from the airport in Adana (\$16.70). Claimant, however, is not entitled to the seat selection fee (\$60). These costs are reasonable transportation expenses that would have been incurred had claimant traveled by air, the authorized mode of travel.

¹ The costs claimed by claimant add up to \$131.35, not \$134.62. However, the cost for travel by POV equaled \$384.62. Reimbursing the constructive airline amount of \$250 left \$134.62 remaining.

Decision

DOS will pay claimant's travel expenses in the amount of \$79.70.

Erica S. Beardsley
ERICA S. BEARDSLEY
Board Judge