

**Board of Contract Appeals**  
General Services Administration  
Washington, D.C. 20405

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October 25, 2001

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GSBCA 15636-TRAV

In the Matter of LAWRENCE BARANSKI

Lawrence Baranski, Oklahoma City, OK, Claimant.

Michael J. Upton, Program Director, Office of Financial and Budget Services, Federal Aviation Administration Aeronautical Center, Department of Transportation, Oklahoma City, OK, appearing for Department of Transportation.

**BORWICK**, Board Judge.

In this case, we sustain the agency's determination that claimant could not be reimbursed for an airline ticket used for his travel on temporary duty (TDY) when the claimant had obtained the ticket by redeeming a voucher he had received during personal travel.

On May 16, 2001, the agency authorized claimant's TDY from Oklahoma City, Oklahoma, to Orlando, Florida, for the period June 10 through June 15, 2001. Instead of purchasing a ticket through an individually billed travel card or a centrally billed account, or by using a Government Travel Requisition (GTR), claimant redeemed flight vouchers he received from United Airlines for relinquishing his seat on another flight involving personal travel. Claimant explained that he used the vouchers because "I wanted my wife to accompany me to [Florida]. I understood that I could not use the government rate for my wife so we elected to travel together."

Claimant submitted a travel voucher, with a receipt from United Airlines as an attachment, on which he claimed \$361 as reimbursement for the value of his airline ticket. The agency auditor noted that the receipt did not list a "form of payment" which would have shown whether claimant used a Government charge card or whether the ticket was billed to a centrally billed Government account. Upon being questioned about the discrepancy, claimant stated that he had used airline vouchers for his TDY. The agency denied reimbursement of the \$361. Claimant appealed that determination to the Board, and reduced his reimbursement request to \$312.82.

Claimant also raised another issue as to the amount of his per diem:

My submitted travel voucher prepared automatically also only allowed me a fixed rate of per diem for my travel days which is contrary to the FAATP amendment 6 which state[s] I was allowed 3/4 of the per diem rate (\$30) on travel days. The auditor did not look at this.

The agency has promulgated the Federal Aviation Administration Travel Policy (FAATP), which is similar to the Federal Travel Regulation (FTR). FAATP 301-2.1 provides that the purpose of the travel allowance is "[t]o reasonably reimburse an employee for additional expenses incurred as a result of performing [TDY] travel for the FAA."

Here, the agency denied claimant reimbursement of the claimed \$361 because claimant did not incur the expense.

It has long been the case that Government travelers who have acquired airline tickets for their TDY by redemption of frequent flyer miles or coupons acquired on personal travel may not be reimbursed for the supposed value of the tickets because of: (1) the subjectivity that would be involved in ascertaining the value of frequent flyer miles or coupons, (2) the problems of control and accountability in allowing reimbursement for frequent flyer miles and coupons, and (3) the lack of guidance in statute and regulation on how to value such items. Roy W. Roth, GSBCA 14203-TRAV (Feb. 27, 1998); Phillip E. Trickett, B-224054 (Mar. 17, 1987) (construing statute and analogous provisions of the FTR). In other words, in the absence of specific statutory or regulatory guidance, it is not possible to conclude that an employee who redeemed frequent flyer miles or a coupon to obtain a ticket for Government travel actually incurred an expense, and it is not possible, with any certainty, to ascertain the amount of the expense.

In arguing against that result, claimant argues that Board precedent "appears to have room for interpretation" and that "as we evolve changes to policy are effected." However, regulation and past construction of similar FTR provisions result in our conclusion that claimant may not be reimbursed for redemption of his flight coupon here.

Claimant also argues that the FAATP is confusing. FAATP 301-51.100, however, requires employees traveling on TDY to use an individually billed travel card, a centrally billed account, or a GTR to procure common carrier transportation costing more than \$100. Specific authorization is required if an employee wishes to use cash to pay for common carrier transportation. FAATP 301-2.7. Use of cash generally is authorized when the transportation costs between \$10 and \$100, FAATP 301-51.100, or in emergency circumstances where the use of a travel card, centrally billed account, or GTR is not possible. FAATP-301-51.103.

The FAATP, therefore, is clear that, except for common carrier transportation of \$100 or less, or in cases of emergency, Government travelers must use an individually billed travel card, a centrally billed account, or a GTR to procure the transportation. Employees act at their own risk when they fail to adhere to this provision. In denying reimbursement for the \$361, the agency correctly applied statute and the FAATP.

As to the per diem, the agency has recently advised claimant and the Board that it will pay claimant the difference between the three-quarters day per diem amount and the fixed

rate amount it had already paid to claimant, minus the cost of meals consumed provided to claimant by the facility. The per diem issue is moot.

The decision of the agency refusing claimant's reimbursement for the airline ticket is sustained.

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ANTHONY S. BORWICK  
Board Judge