

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

June 7, 2001

GSBCA 15525-RELO

In the Matter of DANIEL M. ROBERS

Daniel M. Robers, Madison, AL, Claimant.

Pamela A. Regensburger, Chief, Travel Branch, Defense Finance and Accounting Service, St. Louis, MO, appearing for Department of Defense.

HYATT, Board Judge.

For the convenience of the Army, claimant, Daniel M. Robers, was relocated from an overseas post in Kuwait to the Redstone Arsenal in Huntsville, Alabama, on very short notice. He received his orders on August 23, 2000, dropped off his personally owned vehicle (POV) for shipment to the United States on the same day, and departed Kuwait on August 26. Claimant's travel orders authorized a variety of permanent change of station (PCS) benefits, including ninety days of temporary quarters subsistence expenses (TQSE). Because this PCS was ordered on such short notice, the Army also authorized use of a rental vehicle at the new duty station in Alabama pending the arrival of claimant's POV. The car was authorized for the period from August 26 through November 23, 2000.

When claimant's travel voucher for the cost of the rental car was submitted to the Defense Finance and Accounting Service (DFAS), DFAS disallowed payment, explaining that reimbursement of the cost of a rental car for local transportation while on TQSE is not permitted under applicable regulations. 41 CFR 302-5.18 (2000); Joint Travel Regulations (JTR) C2102-H.4, C13215-A.1. Mr. Robers and the Army, which wants to reimburse claimant, have asked the Board to review DFAS's ruling.

We have previously addressed this issue in Michael L. Noll, GSBCA 15136-RELO, 00-1 BCA ¶ 30,887. Mr. Noll, like Mr. Robers, had been stationed abroad and was transferred back to the United States. He was similarly authorized the use of a rental car for local transportation while on TQSE and awaiting the arrival of his vehicle, which had been shipped from overseas. In Noll we stated:

Notwithstanding the travel orders, DFAS has correctly concluded that it cannot reimburse the expenses of local transportation. Both the JTR and the Federal Travel Regulation

(FTR), 41 CFR 302.5-18 (1999), prohibit reimbursement of local transportation expenses, for commuting or for personal convenience, while a relocated employee is on TQSE. See, e.g., Jacqueline Williams, GSBCA 15026-RELO, 99-2 BCA ¶ 30,538; Joe D. Sellers, GSBCA 14738-RELO, 99-1 BCA ¶ 30,159 (1998); Andrew Parr, GSBCA 14058-RELO, 98-1 BCA ¶ 29,426. This comports with the general rule that while agencies may reimburse employees for transportation expenses if they perform official business travel, an employee's usual commute between work and home does not constitute official business travel. Carrie L. McWilliams, GSBCA 15028-RELO, 99-2 BCA ¶ 30,497.

00-1 BCA at 152,456.

DFAS properly disallowed the payment. Neither the Army nor the Board has the authority to permit payment of these expenses.

CATHERINE B. HYATT
Board Judge