

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

February 15, 2002

GSBCA 15716-TRAV

In the Matter of WILLIAM E. LUCAS

William E. Lucas, National Regional Contract Center Naples, Bahrain, Claimant.

Lt. Brian W. Schultz, Naval Regional Contract Center Naples, Bahrain, appearing for Department of the Navy.¹

WILLIAMS, Board Judge.

Claimant filed this request for reimbursement of the cost of an airline ticket he personally purchased for temporary duty travel. Based upon information provided by claimant, whether the agency has officially reviewed and denied his travel voucher or claim for reimbursement is uncertain. Nor does the record indicate the identity of the agency official responsible for reviewing claimant's voucher and request for reimbursement. Claimant states that he was told that his claim was denied, but after numerous attempts the Board has been unable to locate any agency representative who has reviewed or denied this claim. Claimant suggested that the agency may have misplaced the claim and questioned whether he should resubmit it.

¹The Board has been unable to ascertain if Lt. Schultz is the correct agency representative and has listed his appearance based upon claimant's representation that the travel office is part of Lt. Schultz' responsibility.

Under Board Rule 401, the Board does not consider a claim that has not

first [been] filed with the claimant's own department or agency (the agency). The agency shall initially adjudicate the claim. A claimant disagreeing with the agency's determination may request review of the claim by the Board. The burden is on the claimant to establish the timeliness of the claim, the liability of the agency, and the claimant's right to payment. The Board will issue the final decision on a claim based on the information submitted by the claimant and the agency.

Ordinarily, under Rule 401, we dismiss a travel or relocation claim filed with the Board that has not first been presented to the agency. Steve Resch, GSBCA 14526-RELO (Mar. 26, 1998).

In light of the unfortunate circumstances here, the Board is unable to review the claim. Claimant should resubmit the claim to the agency, advising the agency that he believes his earlier claim was misplaced and that he is not seeking duplicative reimbursement.

In the event the agency denies reimbursement, claimant may then file his claim with this Board.

Accordingly, the claim is dismissed, but claimant may later file his claim with the Board if the agency denies reimbursement.

MARY ELLEN COSTER WILLIAMS
Board Judge