

Board of Contract Appeals

General Services Administration
Washington, D.C. 20405

November 13, 2002

GSBCA 15847-TRAV

In the Matter of PATRICIA A. KING

Patricia A. King, Albany, GA, Claimant.

Barbara J. Martin, Travel Policy and Procedures Office, Travel Pay Services, Kansas City Center, Defense Finance and Accounting Service, Kansas City, MO, appearing for Department of Defense.

PARKER, Board Judge.

The Defense Finance and Accounting Service (DFAS) asks whether Patricia A. King's claim for reimbursement of lodging costs incurred in Atlanta, Georgia, should be paid. For the reasons discussed below, we hold that the claim should be paid.

Background

In October 2001, Ms. King, a civilian employee of the U.S. Marine Corps, was issued two temporary duty (TDY) orders. The first one authorized her to travel from her permanent duty station in Albany, Georgia to Quantico, Virginia, and return, with the dates of travel being Tuesday, October 23, to Friday, October 26. Two days later, on October 28, Ms. King was authorized to travel from Albany to San Diego, California, returning on November 3.

Ms. King was provided with round trip tickets for both TDY trips. Both trips required stops in Atlanta on the outbound and inbound flights. At some point during the first trip, Ms. King called her supervisor to ask whether she could stay in Atlanta for the two nights in between the two trips, rather than flying home from Atlanta on a Friday, and returning to Atlanta on her way to San Diego the following Sunday. On the basis that this would result in a net savings to the Government, Ms. King was told that she could stay in Atlanta, and that her travel orders would be amended retroactively to reflect the changes.

Ms. King incurred, and has claimed reimbursement for, lodging costs in the amount of \$144 for her two-night stay in Atlanta. The Government received from the airline a refund of \$433 because Ms. King did not use the ticket from Atlanta to Albany on October 26, or the one from Albany to Atlanta on October 28.

Discussion

DFAS asks whether Ms. King's claim for lodging costs incurred during her stay in Atlanta should be paid. The answer is "yes, and then some."

The Marine Corps' decision to amend Ms. King's travel orders to allow her to stay in Atlanta, rather than traveling to Albany on a Friday and returning to Atlanta on the following Sunday, clearly was in the Government's interest. In essence, the Marine Corps decided to combine what would have been two separate TDY trips into one longer trip, resulting in a savings to the Government. There is no prohibition of which we are aware against such fiscally responsible behavior, even if it does happen to coincide with the desires of the traveling employee.¹

¹ There is also the question of whether, procedurally, a travel order may be amended after some of the travel has already occurred. As DFAS points out, the Joint Travel Regulations (JTR) permit the Department of Defense to retroactively amend travel orders in certain situations. Paragraph C3053 (Oct. 1, 2001) of the JTR provides that amendments to travel orders may be issued before or after completion of travel to:

1. recognize an essential aspect of travel not known in advance, [or]
2. change the period or place of TDY assignment. . . .

Moreover, since Ms. King's stay in Atlanta was properly deemed to be for "official business," she is entitled to be reimbursed for all per diem expenses applicable to the TDY, not just for the additional lodging costs she incurred in Atlanta. The appropriate amount of per diem for the trip should be calculated in accordance with Chapter 4, Part L of the JTR. The \$433 savings in airfare is more than enough to cover all of the additional per diem. Ms. King should amend her claim accordingly and the agency should pay it.

ROBERT W. PARKER
Board Judge

The Marine Corps' changes to Ms. King's travel orders are in accordance with this regulation.