



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

June 6, 2008

CBCA 1003-RELO

In the Matter of MARSHA K. HARRINGTON-EVANS

Marsha K. Harrington-Evans, Mebane, NC, Claimant.

JoAnne Rountree, Supervisor, Chief PCS Travel Accounting, Financial Services Center, Department of Veterans Affairs, Austin, TX, appearing for Department of Veterans Affairs.

POLLACK, Board Judge.

Ms. Marsha K. Harrington-Evans, an employee of the Department of Veterans Affairs (VA), claims \$1038.48 for transportation expenses associated with renting a vehicle in conjunction with a relocation of duty station. Claimant made a permanent change of station move with the VA from Denver, Colorado, to Durham, North Carolina. Claimant was authorized to ship her car to the new duty station under the permanent change of station relocation, and she did so. When she arrived at the new duty station, she rented a vehicle for use until her car arrived.

The relocation company which handled the relocation did not advise her that a rental car was not an authorized expense. As she explained, had she known that a rental car would not be an authorized expense, she would have had her personal vehicle transported to Durham prior to her arrival there. Based on her statements, she arrived in Durham without a vehicle, on the assumption that she could rent one and be reimbursed. The claimant does not allege that she used the car for business purposes under authorization from the Durham facility.

This claim involves an interpretation of Federal Travel Regulation (FTR) 302-6.18, which provides:

May I be reimbursed for local transportation expenses incurred while I am occupying temporary quarters? Generally no; local transportation expenses are not TQSE, and there is no authority to pay such expense under TQSE. You may, however, be reimbursed under Part 302-4 of this subtitle for necessary transportation expenses if you perform local official business travel while you are occupying temporary quarters.

41 CFR 302-6.18 (2007). The VA interprets the above to provide that reimbursement for local transportation applies to local official business travel and not to commuting to and from work. The VA states that if the vehicle was used for official business and was approved for local transportation, the VA could reimburse claimant under the local travel policy. [reimbursement could be appropriate for local travel at a duty station, too - e.g., if the car was used to travel among agency facilities on business.]

The General Services Board of Contract Appeals, our predecessor in settling claims by federal civilian employees for relocation expenses, dealt with the above issue in a number of decisions. In *Patrick O. Walsh*, GSBCA 16243-RELO, 04-1 BCA ¶ 32,520 (2003), the board rejected a claim for eight days of rental, pointing out that rental was not authorized under the FTR. The board clearly stated that the information provided showed that the vehicle was not used or needed for official business, but rather appeared to have been rented to meet local transportation needs. Citing several earlier rulings that denied reimbursement for local transportation costs at a new duty station, the board denied reimbursement. *Id.* at 160,867-68; *see also Thomas Slonaker*, GSBCA 15425-RELO, 01-2 BCA ¶ 31,447.

As to the contention that the claimant was not advised by the relocation company that she would not be reimbursed, that too does not serve as a basis for reimbursement. First, the relocation company has no legal duty to provide that information. Moreover, even where an agency mistakenly advises an employee that the employee can rent a car, our predecessor board held that the restriction as to reimbursement would still apply. *Daniel M. Robers*, GSBCA 15525-RELO, 01-2 BCA ¶ 31,454.

Decision

We deny the claim.

HOWARD A. POLLACK
Board Judge