



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

July 16, 2009

CBCA 1568-TRAV

In the Matter of BILLY M. BATTLES

Billy M. Battles, Greenville, NC, Claimant.

Brigitte Croney, Financial Management Specialist, Food and Drug Administration, Department of Health and Human Services, Nashville, TN, appearing for Department of Health and Human Services.

BORWICK, Board Judge.

Claimant, Billy M. Battles, is not entitled to reimbursement of the cost of a locksmith for unlocking his Government-provided automobile while on official local travel.

Background

Mr. Battles, an employee of the Department of Health and Human Services, Food and Drug Administration (FDA), was on approved official local travel using a Government-provided automobile. While performing his official duties, he locked himself out of the automobile. Unable to unlock the automobile himself, he called a locksmith to open it and incurred an expense of fifty dollars. Claimant explains that as an FDA investigator, he has to get in and out of his car repeatedly to retrieve necessary equipment to perform an investigation. He admits that he has locked himself out of a car several times before, but this is the first instance that he had to call a locksmith to gain entry to a car. He submitted a voucher for that locksmith expense to the agency's finance office, which denied it.

Discussion

The Federal Travel Regulation (FTR) provides that employees are entitled to payment for transportation expenses, including the expense of local travel. 41 CFR 301-10.1 (2008). However, the agency may only pay those expenses “essential to the transaction of official business.” 41 CFR 301-2.2. The General Accounting Office (GAO), one of our predecessors in deciding these cases, considering an earlier version of the FTR, which is substantively the same as the controlling version in this case, held that the locksmith fee was not essential to the transaction of official business because the proximate cause of the expense was the employee’s own action in locking himself out of the car. *Robert Berman*, B-210928 (Apr. 22, 1983); *Comp. Gen. Dec. B-1622466* (Sept. 27, 1967). This was the situation with regard to claimant as well. We find the GAO’s reasoning persuasive and adopt it here. Further, the cost of the locksmith does not qualify as a reimbursable miscellaneous expense. FTR 301-12.1. We sustain the agency’s denial as it correctly applied the FTR. The Board denies the claim.

ANTHONY S. BORWICK
Board Judge