



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

February 23, 2010

CBCA 1677-TRAV

In the Matter of CHRISTOPHER BILLS

Christopher Bills, Hillsborough, NH, Claimant.

R. René Dupuy and Dennis Adelson, Office of the Solicitor, Department of Labor, Washington, DC, appearing for Department of Labor.

SOMERS, Board Judge.

In June 2009, Christopher Bills and other employees in his office attended a training session outside of the office in another city. The office provided two government vehicles for transporting the employees. Mr. Bills declined to travel in the government-owned vehicle (GOV), and told his supervisor that he intended to take his own vehicle for personal reasons. Mr. Bills indicated that he understood that he would not be reimbursed for mileage for use of his personal vehicle. Mr. Bills did not request permission to use his personal vehicle, and his supervisor did not pre-approve this form of transportation.

After the trip, Mr. Bills submitted a travel voucher in which he seeks reimbursement for mileage for the use of his personal vehicle. His supervisor denied the request. Mr. Bills appeals that action, and contends that nothing in the Federal Travel Regulation (FTR) mandates that more than one person must travel together in a government vehicle when the trip requires a multiple night stay away from the duty station.

The agency correctly determined that Mr. Bills should not be reimbursed for mileage for the use of his personal vehicle. Pursuant to FTR 301-10.4 (41 CFR 301-10.4 (2008)), an agency “must select the method [of transportation] most advantageous to the Government, when cost and other factors are considered.” A government-owned automobile is presumed to be the most advantageous method of travel. FTR 301-10.5. According to FTR 301-10.6, “[i]f you [the employee] do not travel by the method of transportation required by regulation

or selected by your agency, any additional expenses you incur will be borne by you.” The Department of Labor Manual Series (DLMS) supplements the FTR and includes a provision which states: “When the Government has free transportation available (i.e., shuttle bus, the employee can travel as a passenger in a GOV driven by another employee, etc.) and the employee uses a privately-owned automobile as a matter of personal preference, reimbursement for the use of the privately-owned automobile will not be allowed.” DLMS 7, ch. 1, ¶ 1-4.4(e) (citing FTR 301-70.102(e)).

The facts bring Mr. Bills squarely within the payment limitation established by the regulations. Because his office had a government-owned vehicle available for his use as a passenger for the trip, Mr. Bills’ supervisor did not authorize Mr. Bills to use his own vehicle. There is no basis to disturb the agency’s conclusion that Mr. Bills should not be reimbursed for mileage for the use of his privately owned vehicle. *See, e.g., Herbert F. Sakalaucks, Jr.*, CBCA 1508-TRAV, 09-2 BCA ¶ 34,231.

The claim is denied.

JERI KAYLENE SOMERS
Board Judge