



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

February 21, 2018

CBCA 5956-RELO

In the Matter of CHAD G. BRANDENBURG

Chad G. Brandenburg, Jacksonville, FL, Claimant.

Zeb Swinney, Lead Financial Systems Analyst, Travel Functional Area, Enterprise Solutions and Standards, Defense Finance and Accounting Service, Indianapolis, IN, appearing for Department of Defense.

CHADWICK, Board Judge.

Chad G. Brandenburg works on the Presidential Helicopter Program for the United States Navy. By orders dated September 28, 2016, the Navy temporarily changed his duty station from Patuxent River, Maryland, to Jacksonville, Florida, effective retroactively to September 25, 2016 (a Sunday), and authorized relocation benefits including transportation of household goods. About a week before the Navy issued his relocation orders, Mr. Brandenburg retained a private moving company to pack his household goods and move them out of his home in Maryland, which the company did on September 28 and 29. Mr. Brandenburg made this arrangement despite having been copied on an August 2016 email in which a representative of his travel office “strongly advise[d] Chad not to incur any travel expenses until he has his travel orders in hand.”

Mr. Brandenburg sought our review, with the concurrence of a Navy supervisor, of the Defense Department’s refusal to reimburse him more than the amount authorized by his relocation orders to transport his household goods. We deny the claim.

In compliance with Federal Travel Regulation (FTR) 302-7.14 and 302-7.16 (41 CFR 302-7.14, -7.16 (2016)) and Joint Travel Regulations (JTR) 5656, the Navy authorized either transportation of up to 18,000 pounds of household goods by government bill of lading or reimbursement of the actual cost of a private move, up to the government constructed cost (GCC) of the authorized move. The Navy paid Mr. Brandenburg \$9040, based on the GCC of moving goods that he agrees weighed 13,020 pounds. Mr. Brandenburg paid the moving

company \$15,826.54 (\$7161.10 in September 2016 and \$8665.44 for storage and handling until the goods were delivered in December 2016) and seeks the difference, \$6786.54.

Mr. Brandenburg states, “I realize that the [agency’s denial] is based on authorized allowances, per the FTR and JTR.” He asks the Board to consider “extenuating circumstance[s],” including an alleged “direction to execute a move outside the normal process.” No such direction appears in the record. Navy memoranda submitted to us in support of Mr. Brandenburg’s claim focus on an email he received from a program official on September 22, 2016, advising him, “[Y]our . . . orders are being processed with the intent *to formally move you* on 28 September. We need you down at JAX soonest. Please take all necessary steps (including *preparation to move your personal effects*) to make that happen” (emphasis added). No one has told us whether the author of the email was one of Mr. Brandenburg’s direct supervisors. Even assuming he was, the email said only that Mr. Brandenburg should “prepar[e]” his household goods for a “formal[] move” while planning to get *himself* to Florida “soonest.” The author of the email did not purport to direct Mr. Brandenburg to vacate his Maryland residence or to book a moving company for the week of September 28.

Mr. Brandenburg adds that, “had [he] waited to begin transition on 9/28/16,” when he received his orders, he would have encountered hardships such as “uprooting children” in the middle of a school year and listing his Maryland home for sale or rent “out of season.” He states that his relocation orders were delayed by a decision as to whether to make his change of station permanent or temporary, and that “[d]uring this period, [he] was working tirelessly to transition the Program” to Florida and “to pull together the human factors that cannot be discounted.” These issues may be worthy of consideration by Mr. Brandenburg’s management but do not affect his entitlement to reimbursement under the FTR and JTR.

Decision

The claim is denied.

KYLE CHADWICK
Board Judge