



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

November 13, 2019

CBCA 6562-TRAV

In the Matter of RICHARD W. BRIGGS

Richard W. Briggs, Columbia, MD, Claimant.

Charity N. King, Office of General Counsel, National Security Agency, Fort Meade, MD, appearing for Department of Defense.

KULLBERG, Board Judge.

Claimant, Richard W. Briggs, seeks reconsideration of the Board's denial of reimbursement for the cost of his return flight from overseas on an airline that was not a U.S.-flag carrier as required under the Fly America Act (FAA), 49 U.S.C. § 40118 (2012). Mr. Briggs argues that he "thoroughly coordinated [his] travel plans," but his agency did not give him adequate guidance about a potential FAA violation. The Board's decision addressed Mr. Briggs' contention that he had not received adequate guidance from his agency, but we held that a lack of such guidance does not excuse a violation of the FAA.

Mr. Briggs' request for reconsideration does not present any new facts or legal arguments, and he essentially restates the contention he raised in his claim. "Board Rule 407 provides that '[m]ere disagreement with a decision or re-argument of points already made is not a sufficient ground for seeking reconsideration.'" *Caleb B. Halstead*, CBCA 5988-TRAV, 19-1 BCA ¶ 37,403, at 181,818 (quoting 48 CFR 6104.407 (2018)). Regardless of Mr. Briggs' efforts to coordinate his travel, the Board has no authority to make an exception to the FAA for that reason; additionally, this Board has recognized that "by law, all individuals are charged with notice of statutory requirements." *Matthew J. Klages*,

CBCA 4942-TRAV, 15-1 BCA ¶ 36,165, at 176,477 (citing *Token D. Barnthouse*, CBCA 1625-RELO, 10-1 BCA ¶ 34,353, at 169,642).

Decision

Claimant's request for reconsideration is denied.

H. Chuck Kullberg

H. CHUCK KULLBERG

Board Judge