



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

December 3, 2024

CBCA 8207-RELO

In the Matter of GARRET B.

Garret B., Claimant.

James Plews, Comptroller, National Security Agency, Fort Meade, MD, appearing for Department of Defense.

SHERIDAN, Board Judge.

Claimant disputes the amount that his employer, the National Security Agency (NSA), reimbursed him for his personally procured relocation. NSA reimbursed claimant for actual incurred costs. Claimant demands reimbursement for the amount that the Government would have paid had it shipped claimant's household goods (HHG). We deny the claim.

Background

In October 2023, claimant personally procured a move from Fort Meade, Maryland, to Fort Gordon, Georgia. The authorization from the NSA entitled him to reimbursement for costs incurred moving up to 18,000 pounds of HHG. Claimant documented his costs for packing materials, truck rental, and fuel costs and recorded the weights of the trucks and trailers. He incurred \$4480.57 for these costs and moved more than 18,000 pounds of HHG. Claimant requested reimbursement for \$32,288.40, which is the cost the Government would have paid to move 18,000 pounds of HHG had commercial movers been used.¹ Instead, NSA reimbursed \$4,480.57 in actual expenses. After tax, this amounts to \$4,041.13.

¹ At the time that claimant moved, the rate per 100 pounds of HHG was \$179.38 per pound for a commercial mover. At \$179.38 per 100 pounds, the Government would have paid \$32,288.40 ((18,000 pounds/100) x \$179.38 = \$32,288.40).

On August 22, 2024, claimant filed this claim requesting additional reimbursement. Claimant requests \$27,807.83, the difference between his total claim, \$32,288.40, and his \$4480.57 reimbursement.

Discussion

As an NSA employee, the claimant is subject to the Joint Travel Regulations (JTR). Claimant argues that JTR 0543 (Oct. 2023) obligates the NSA to reimburse him for the cost that the Government would have paid had it shipped his HHG, even though he only incurred \$4480.57 in actual expenses. The JTR provides: “[i]f a Government move is authorized, but the civilian employee chooses to move him or herself, then the Government reimburses only *the actual expenses*, limited to what it would have cost the Government to ship the HHG.” JTR 0543 (emphasis added). Claimant’s interpretation of JTR 0543 is mistaken because the regulation ties reimbursement to actual expenses.

Furthermore, pursuant to the Federal Travel Regulation (FTR), the Government only reimburses an employee for actual expenses not in excess of what the Government would have paid to ship the HHG. 41 CFR 302-7.16 (2023) (FTR 302-7.16). The amount that the Government would have paid had it shipped the HHG is a cap on the amount of actual expenses that the Government will reimburse. *See Gregory T. Wahl*, CBCA 6785-RELO, 20-1 BCA ¶ 37,672, at 182,887 (citing 41 CFR 302-7.16); *Caitlin C. Clinton-Selin*, CBCA 6797-RELO, 20-1 BCA ¶ 37,653, at 182,809.

Applied here, claimant’s \$32,288 request is the reimbursement cap amount, not the reimbursement amount owed. Claimant only incurred actual expenses of \$4480.57, and NSA reimbursed him for those expenses. Claimant is not entitled to reimbursement for expenses not actually incurred.

Decision

The claim is denied.

Patricia J. Sheridan
PATRICIA J. SHERIDAN
Board Judge