

Board of Contract Appeals

General Services Administration
Washington, D.C. 20405

November 17, 2000

GSBCA 14927-RELO

In the Matter of JAMES E. BRAY

James E. Bray, Japan, Claimant.

Martha J. Irons, Naval Supply Systems Command, Mechanicsburg, PA, appearing for
Department of the Navy.

WILLIAMS, Board Judge.

Claimant, James E. Bray, seeks reconsideration of the Board's decision in James E. Bray, GSBCA 14927-RELO, 00-1 BCA ¶ 30,789, denying his claim that his household goods were erroneously shipped to Guam and that he is not responsible for storage charges exceeding \$18,000. We concluded that no persuasive evidence supported claimant's contention that his household goods were erroneously shipped to Guam. We noted that the totality of the documentary evidence, including claimant's initial request for shipment of his household goods, the copies of DD Form 1299, as well as claimant's travel authorization and the Government bill of lading (GBL), all uniformly indicate that claimant requested that his household goods be shipped to Guam. Claimant contends that he was advised that his household goods could not have been shipped to Guam until his dependents were authorized to travel to Guam. Thus, because claimant's dependents never came to Guam, he believes his household goods should not have been shipped, and the storage charges for the subsequent six years should not be borne by him. These are the same arguments we considered and rejected in our original decision.

Under the Board's Rules of Procedure, "Mere disagreement with a decision or re-argument of points already made is not a sufficient ground for seeking reconsideration." Rule 407 (48 CFR 6104.7 (1999)). Because claimant's request does nothing more than reiterate arguments he made earlier, the request must be denied. Synita Revels, GSBCA 14935-RELO, 00-1 BCA ¶ 30,896.

In support for his request for reconsideration, claimant submitted sixteen documents. The Board has reviewed these documents and concludes that none of them demonstrate that claimant's household goods were erroneously shipped to Guam. These documents confirm the facts that the Board already understood in its original decision, in particular that

dependent entry to Guam was restricted in 1993. From this Mr. Bray assumes that his household goods should not have been shipped while he was waiting to obtain dependent entry approval, and that he is not responsible for excess storage charges. This ignores the fact that Mr. Bray himself authorized and directed his household goods to be shipped to Guam. The status of the entry of his dependents had no impact on the shipment of his household goods.

Mr. Bray's subsequent actions in Guam do not help his case. While claimant contends that the household goods were erroneously shipped to Guam in the first instance, he never said this when the household goods were originally shipped. He knew they were placed in storage. He was advised that after ninety days he was responsible for the subsequent storage charges, yet he did nothing. Claimant was later authorized another permanent change of station and could have at that time removed his goods from storage and transported them to his new duty station, but he chose not to do this, and instead apparently moved other household goods and new dependents at Government expense.

In sum, the record provides no basis for this Board to conclude that claimant's household goods were shipped in error. The request for reconsideration is denied.

MARY ELLEN COSTER WILLIAMS
Board Judge