



COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

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AUG 31 1973

B-177640

The Honorable
The Secretary of the Air Force

Dear Mr. Secretary:

Further reference is made to letter dated November 28, 1972, from the Assistant Secretary of the Air Force (Manpower and Reserve Affairs), requesting a decision concerning proposed amendments to the Joint Travel Regulations relating to the travel and transportation allowances of members traveling by private automobile on permanent change of station from Goose Air Force Base, Canada, to duty stations in the United States. The request has been assigned control number 72-52 by the Per Diem, Travel and Transportation Allowance Committee.

The Assistant Secretary indicates that currently uniformed members and their dependents are normally moved to and from Goose Air Force Base and the continental United States by air via McGuire Air Force Base, New Jersey, and their automobiles are apparently shipped separately. The Assistant Secretary also indicates that available cargo shipping schedules from the Goose Air Force Base area do not often coincide with the permanent change of station movement of families from Goose Air Force Base and, consequently in many instances members are faced with considerable delays and additional expense in obtaining their privately owned automobiles for onward movement with their families.

It is further stated that to make sure that their automobiles will be available in the continental United States when they arrive, many members are traveling by privately owned vehicle via car ferry from Goose Air Force Base, Canada, to Lewisporte, Newfoundland, then overland by highway to Port-aux-Pasques, Newfoundland, then via car ferry to Sydney, Nova Scotia, and then by highway to their new duty stations in the United States. Members who travel by privately owned vehicle by this route are presently limited by paragraph M4159-1, items 1 and 3 of the Joint Travel Regulations, to reimbursement at the rate of \$0.06 per mile for the official distance between the old permanent station and the appropriate aerial or water port of embarkation, and for the official distance between the appropriate aerial or water port of debarkation in the continental United States and the new

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permanent duty station. Since the appropriate port of embarkation and the old permanent duty station are the same (Goose Air Force Base), members traveling by this route are limited to mileage for the official distance from the appropriate port of debarkation (McGuire Air Force Base) to their new permanent duty stations. It is stated that this results in financial loss to the members.

It is pointed out in the Assistant Secretary's letter that section 10.4b of OMB Circular No. A-56 which implements section 5727 of title 5, U.S. Code, permits the transportation at Government expense of privately owned vehicles of Government employees between alternate origins and destinations at a cost not to exceed the cost of transportation between the authorized place of origin and the official station.

The Assistant Secretary asks whether this Office would object to the following proposed changes in the Joint Travel Regulations which changes would alleviate the situation discussed above:

"a. Amend Joint Travel Regulations par. M4159-3 to authorize the payment of mileage for the official highway distance from Lewisporte, Newfoundland to Port aux Basques, Newfoundland and from Sidney, Nova Scotia to the various COMUS destination points concerned; and,

"b. Amend Joint Travel Regulations par. M1150-14 to omit the specific reference contained therein to the 'island portion of Newfoundland' so that travel on the previously referenced long distance ferries would be classified as 'transoceanic' travel. Reimbursement for expenses incurred for the transoceanic travel of the member and/or his dependents on the long distance ferries used in travelling on a permanent change of station from Goose Air Force Base, Canada, to various COMUS destinations over the previously specified routes would then be properly payable in accordance with JTR paragraphs M4159-1 and 4, and M7002-2, and

"c. Arrange for shipments on Government Bills of Lading of privately owned vehicles on the ocean going car ferries concerned in accordance with section 2634, title 10, United States Code."

In this regard, the Assistant Secretary says that it is contemplated that reimbursement in this manner would be limited to

a cost not to exceed the total cost of moving the member and his dependents from Goose AFB to the appropriate CONUS aerial port of debarkation by air, and the cost of shipping his privately owned vehicle to the appropriate CONUS water port of debarkation.

In addition the Assistant Secretary indicates that the only shipping services available over the water portions of the above described routes are long distance car ferries operated by the Canadian Pacific Railroad. Therefore, in view of 10 U.S.C. 2634, he asks whether, in the event it is impracticable for the Government to procure those shipping services, the member may personally arrange for the transportation of his privately owned automobile on those long distance car ferries and be reimbursed therefor by the Government.

Also, we have been informally advised that it is contemplated that if the regulations are changed as proposed, the long distance ferry from Port-aux-Basques, Newfoundland, to North Sydney, Nova Scotia, would also be considered transoceanic travel for members on permanent change of station between the island portion of Newfoundland to the continental United States for travel by privately owned vehicle. Thus, the entitlement of those members for that portion of travel would be on an equal basis with the entitlement of members on permanent change of station from Goose Air Force Base, to the continental United States via privately owned vehicle.

The long distance ferries involved here apparently operate in the Atlantic Ocean and the Gulf of Saint Lawrence along the Atlantic Coast of Canada. The distance via ferry from Goose Bay to Lewisporte appears to be over 500 miles and the distance from Port-aux-Basques to North Sydney is over 100 miles. There does not appear to be any highway system in the Goose Bay area over which a member could drive his automobile directly to the continental United States without using the long distance ferries. See Standard Highway Mileage Guide, Rand McNally & Co., 1967, pages 314-315.

Paragraph M1150-14 of the Joint Travel Regulations to which the Assistant Secretary refers currently defines transoceanic travel as follows:

"Transoceanic travel is all travel which, if performed by surface means of commercial transportation over a usually traveled route, would require the use of ocean-going vessels. (For special provisions relating to travel between the United States and Newfoundland, Alaska, or Central America, see pars. M4159-3 and M7003-3c.)"

Paragraphs M4159-3 and M7003-3c make specific reference to the "island portion of Newfoundland" in providing for travel allowances for members and their dependents under permanent change of station orders and, therefore, presumably it is those paragraphs which would be changed and not necessarily paragraph M150-14, as indicated by the Assistant Secretary, since that paragraph (M150-14) does not make reference to the "island portion of Newfoundland."

Broad authority is granted the Secretaries concerned by 37 U.S.C. 404 and 406 to prescribe the conditions under which travel and transportation allowances are payable under those statutes to members for their travel and their dependents' travel under orders directing a change of permanent station. In a somewhat similar situation we have not objected to the payment of mileage for the land travel to and from English Channel ports and the treatment of travel by ferry across the English Channel as transoceanic travel. See 40 Comp. Gen. 497 (1961). Also, in 41 Comp. Gen. 637 (1962) we held that our decision at 40 Comp. Gen. 497, supra, does not apply in a case involving the use of a ferry between North Sydney, Nova Scotia, and Port-aux-Basques, Newfoundland, since, paragraphs M4159-3 and M7003-3c of the Joint Travel Regulations make specific provision for travel to and from the island portion of Newfoundland. However, in view of the Secretaries' broad authority under 37 U.S.C. 404 and 406 we would have no objection to changing the regulations to allow the payment of mileage and the treatment of the long distance ferry transportation as transoceanic travel as proposed by the Assistant Secretary.

In this regard, attention is invited to the fact that changes should also be made in the official table of distances used in computing mileage between Goose Air Force Base and bases on the island portion of Newfoundland and continental United States duty stations to eliminate mileage over the ferry routes.

In regard to whether a member may personally procure such ferry transportation for his automobile subject to reimbursement by the Government, 10 U.S.C. 2634(a) provides, as the Assistant Secretary indicates, that when a member of an armed force is ordered to make a change of permanent station, one motor vehicle owned by him and for his personal use or the use of his dependents may, under certain conditions, be transported at the expense of the United States, to his new station or such other place as the Secretary concerned may authorize--

"(1) on a vessel owned, leased, or chartered by the United States,

"(2) by privately owned American shipping services; or

"(3) by foreign-flag shipping services if shipping services described in clauses (1) and (2) are not reasonably available."

Since the Assistant Secretary states that the services described in clauses (1) and (2) of 10 U.S.C. 2634(a) are not available over the routes in question, we would have no objection to the use of the Canadian Pacific Railroad ferries over those routes for the transportation of members' personally owned motor vehicles. And, if it is impractical for the Government to arrange to procure such ferry service directly, we would not object to members personally arranging for such transportation for their vehicles subject to reimbursement therefor by the Government, provided that the use of such service is properly authorized in advance in the members' travel orders and the statement relating to the non-availability of United States registered carriers required by paragraph 112150-3 of the Joint Travel Regulations is appended to the members' reimbursement voucher.

The Assistant Secretary's questions are answered accordingly.

Sincerely yours,

Paul G. Dembling

For the Comptroller General
of the United States

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