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DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20540

FILE: B-191180

DATE: April 7, 1978

MATTER OF: William C. Zelenakas - Travel Expenses for
Transportation of Foreign-Made Vehicle

DIGEST: Transferred employee shipped foreign-made personal automobile at own expense from Antwerp, Belgium, to Baltimore, Maryland. He made separate trips to deliver the car to Antwerp for shipment and to pick up the car in Baltimore. Claim for reimbursement of expenses of separate trips is denied because eligibility for such reimbursement depends on whether vehicle may be shipped at Government expense. When vehicle may not be shipped at Government expense, separate trips are for employee's personal convenience and may not be paid.

This action is at the request of Mr. W. Smallets, Chief, Finance and Accounting, National Security Agency, Central Security Service, Fort Meade, Maryland. Mr. Smallets has requested our decision concerning the entitlement of Mr. William C. Zelenakas to mileage incident to the shipment of his privately owned vehicle in connection with a permanent change of station. The request for a decision was forwarded to our Office by the Per Diem, Travel and Transportation Allowance Committee, PDTATAC Control No. 78-4.

The record shows that by travel orders issued on April 4, 1977, Mr. Zelenakas was transferred from Frankfurt, Germany, to Fort George G. Meade, Maryland. The travel order authorized shipment of a privately owned motor vehicle at Government expense. Mr. Zelenakas, however, owned a foreign-manufactured vehicle which he therefore shipped at his own expense. In connection with the shipment of his vehicle, the claimant made a separate trip on August 15, 1977, from Frankfurt to Antwerp, Belgium, to deliver the vehicle for shipment to the United States. He returned to Frankfurt by railroad at a cost of \$26.55 for railroad fare. On September 9, 1977, he traveled by privately owned conveyance from his residence at Langley Park, Maryland, to Baltimore, Maryland, to pick up his vehicle upon arrival in the United States. Mr. Zelenakas is requesting reimbursement of round-trip mileage and transportation costs incurred in

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delivering the vehicle to the overseas port for shipment and for obtaining it from the port of arrival. He has not, however, requested reimbursement of the costs of shipping the vehicle. Whether any part of the claimed expenses may be paid is the question presented for our consideration.

The authority for the transportation of a privately owned vehicle at Government expense is derived from 5 U.S.C. 5727(b) (1970). In addition, 5 U.S.C. 5724(a) (1970) generally provides for payment of the travel expenses of a transferred employee. These authorities are implemented by the Federal Travel Regulations (FTR) (FPMR 101-7, May 1973). Eligibility requirements for transportation of privately owned vehicles are contained in FTR para. 2-10.2c, which provides, in relevant part, as follows:

"(6) The privately owned vehicle is of United States manufacture unless (i) the head of the agency or his designee determines that only vehicles of foreign manufacture may be used effectively at the official station concerned, (ii) the privately owned vehicle to be transported was purchased by the employee before he was aware that he would be assigned to duty at an official station to which the transportation of a privately owned vehicle would be authorized or, (iii) for other reasons and taking into consideration the current United States balance of payments situation it is determined that the employee should be allowed to ship a vehicle of foreign manufacture."

For travel by Department of Defense employees, paragraph C11003-2 of the Joint Travel Regulations, Volume 2, (2 JTR) contains specific prohibitions on the shipment of foreign-manufactured vehicles. Regarding allowable expenses when an employee makes a separate trip to deliver or pick up a car at a port, FTR para. 2-10.4c provides, in relevant part:

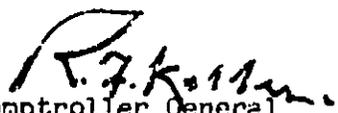
"* * * For the distance the privately owned vehicle is driven, the allowance provided in 2-2.3 applies, however, if the employee makes a separate trip to a port to deliver or pick up his privately owned vehicle, per diem is not allowable but one-way travel costs and one-way mileage costs for operating the privately owned vehicle (both under the provisions of Chapter 1) may be allowed provided the total does not exceed the cost of shipping the privately owned vehicle to or from the port involved."

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Similar provisions are made at paragraphs C11004-3 and C11004-4 of 2 JTR for movements to and from ports by Department of Defense employees. As set forth in FTR paragraph 2-2.3a, and in 2 JTR paragraphs C11004-3 and C11004-4 the use of a privately owned automobile for permanent change-of-station travel is deemed to be advantageous to the Government, and may be reimbursed. However, separate trips to deliver or pick up a vehicle, unlike permanent change-of-station travel, are made necessary only by reason of the employee having shipped the vehicle. Since the separate trips are not independent entitlements, but are incident to the transportation of the vehicle, reimbursement of the expenses of such trips depends on whether the employee was eligible to transport the vehicle at Government expense. Thus, where the employee is not eligible to ship his privately owned vehicle at Government expense but does so at his own expense, the separate trips to deliver and recover the vehicle are made for his own personal convenience and may not be paid by the Government.

In the present case, the vehicle in question was of foreign manufacture. Further, it was not purchased overseas as a replacement vehicle. Thus, it was not in the interest of the Government for the vehicle to be shipped at Government expense. In view of the above discussion, the separate trips were made for the employee's personal convenience, and may not be reimbursed.

Accordingly, the voucher may not be paid.


Comptroller General
of the United States