

DECISION



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

FILE: B-195204

DATE: January 22, 1980

MATTER OF: [Dislocation allowance *to members of*
Two-crew nuclear submarines]

DIGEST: A dislocation allowance may be paid to members without dependents of both the on-ship and off-ship crews of nuclear submarines incident to a change of home port of the submarine, when they initially occupy permanent non-Government quarters at the new home port although the submarine is the permanent station for both crews. This is based on the view that Congress did not intend to preclude payment of the allowance when a member is not able to occupy quarters assigned to him and does incur the expense of moving into non-Government quarters.

May a dislocation allowance be paid members without dependents of both the on-crew and off-crew of a two-crew nuclear submarine when the home port of the vessel is changed? As will be explained, the answer is yes. ✓

DIF03668

This question was presented by the Officer in Charge, Navy Finance Office, New London, and has been assigned PDTATAC Control No. 79-18, by the Per Diem, Travel and Transportation Allowance Committee.

Two-crew nuclear powered submarines are assigned two autonomous crews. While one crew is on the submarine, the other crew is ashore performing training and rehabilitation duty. Thus, while the submarine, itself, is the permanent station for both crews, only one crew can occupy the quarters aboard the submarine and the other crew must occupy quarters ashore. In our decision 57 Comp. Gen. 178 (1977), we concluded that a member without dependents who is ordered to make a permanent change of station and is assigned to a two-crew submarine is entitled to a dislocation allowance on reporting to the home port of the vessel when he occupies permanent non-Government quarters. Doubt has arisen in this case, since the members involved have already been assigned to the vessel prior to the change of home port. As a result the finance officer requests a decision as to whether the allowance may be paid to members without dependents assigned

~~008372~~ 111354

MEMBERS Without Dependents and Dislocation Allowances

B-195204

to the submarine, when they occupy permanent non-Government quarters at the new home port of the submarine.

Under the provisions of 37 U.S.C. 407(a)(3) a member without dependents who is transferred to a permanent station where he is not assigned to quarters of the United States is entitled to a dislocation allowance. Thus, a member without dependents assigned to a vessel is ordinarily not entitled to a basic allowance for quarters or a dislocation allowance since he is assigned quarters on the ship. Due to the unusual circumstances involved in duty on two-crew submarines, however, exceptions have been made.

Subparagraph M9003-7 of 1 Joint Travel Regulations (1 JTR) provides that a member without dependents assigned to a two-crew nuclear submarine will be entitled to a dislocation allowance upon arrival at the vessel's home port providing the member is not assigned to Government quarters and he occupies non-Government quarters for a period of more than 15 days prior to reporting aboard the vessel.

Appendix J of 1 JTR defines permanent change of station as including a change in the home port of a vessel or a mobile unit.

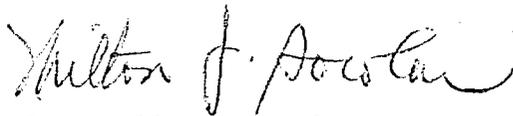
In the past we have held that since the submarine was the permanent station of both crews assigned to it, entitlement to a dislocation allowance was for determination on that basis. See 48 Comp. Gen. 480 (1969). However, this decision was modified to the extent that it was inconsistent with our decision 57 Comp. Gen. 178 (1977). In the latter decision, we concluded that, while 37 U.S.C. 407(a)(3) authorizes payment of a dislocation allowance to a member when he is not assigned to quarters of the United States at his permanent station, the payment of the allowance is authorized when a member is not able to occupy the assigned quarters aboard the submarine and is in fact incurring the expense of moving into non-Government quarters.

Since the change of home port of a vessel is considered a permanent change of station for the crew members, a dislocation allowance may be paid to the members without dependents of both crews when they initially occupy permanent

B-195204

non-Government quarters at the home port for more than 15 days. This, of course, is subject to any restrictions contained in 37 U.S.C. 407.

The question is answered in the affirmative.

A handwritten signature in cursive script, appearing to read "Milton J. Fowler".

For the Comptroller General
of the United States