

**DECISION**

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

**FILE:** B-211490

**DATE:** April 9, 1986

**MATTER OF:** Transportation of Privately Owned Vehicles

**DIGEST:**

Civilian employees of the Government who are separated from service at an overseas post may be allowed to have privately-owned vehicles which were transported to those posts at Government expense transported to an alternate destination not in the United States or the country in which the employee's actual residence is located. Such transportation is subject to the limitation that the cost may not exceed the constructive cost of having the vehicle shipped to the employee's place of actual residence when transferred to his last duty station overseas and may not be authorized if separation occurred before April 10, 1984, the date of the decision Thelma I. Grimes, 62 Comp. Gen. 281.

This action is in response to a request for a decision regarding a proposed change in the Joint Travel Regulations which would allow shipment of privately-owned vehicles at Government expense in connection with the separation of civilian employees stationed overseas to a location other than to the country and location of the employee's actual residence at the time of the assignment to duty outside the United States.<sup>1/</sup> Based on a recent change in our decisions, we hold that civilian employees are now entitled to transportation of privately-owned vehicles under these circumstances. Such entitlement is not dependent upon a change in the regulations.

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<sup>1/</sup> The request was made by the Honorable Delbert L. Spurlock, Jr., Assistant Secretary of the Army (Manpower and Reserve Affairs), in his capacity as Chairman, Department of Defense Per Diem, Travel and Transportation Allowance Committee.

BACKGROUND

Authority for transportation and travel expenses of a civilian employee to an overseas duty station and return to his or her country of actual residence at the time of assignment to that duty station is provided in 5 U.S.C. § 5722 for new appointees and by 5 U.S.C. § 5724(d) for transferred employees by reference to section 5722. Section 5722 was originally interpreted by us to limit the employee to return to the United States, or the country of actual residence at the time of overseas assignment, within a reasonable time after completion of duty at the overseas duty station. It was held that there was no authority for payment of travel of these employees to points other than the country of actual residence, which in most cases was the United States. 31 Comp. Gen. 389 (1952).

However, we have recently reconsidered our position regarding transportation and travel expenses allowed to civilian employees upon separation at overseas posts. We have held that payment or reimbursement for travel and transportation expenses incurred by civilian employees upon separation overseas to an alternate point may be allowed even though not in the country of actual residence at the time of the appointment to the overseas post. However, the cost to the Government may not exceed the constructive cost of travel and transportation to the employee's place of actual residence at the time of the overseas assignment. Thelma I. Grimes, 62 Comp. Gen. 281 (1984).

DECISION

Shipment of privately-owned vehicles is authorized at Government expense between the United States and an employee's post of duty abroad or between duty posts outside the United States when the agency head determines that it is in the interest of the United States for the employee to have a privately-owned vehicle at his post abroad. 5 U.S.C. § 5727. This authority extends to employees who are transferred under 5 U.S.C. § 5722.

Since transportation of privately-owned vehicles is authorized by reference to the authority contained in 5 U.S.C. § 5722, it follows that shipment of a privately-owned vehicle should be treated as are other transportation

and travel expenses authorized by that provision of law. Therefore, 5 U.S.C. § 5727 should be construed to authorize a civilian employee to have his privately-owned vehicle shipped at Government expense to an alternate destination not in the country of his or her actual residence at the time of the appointment, with the limitation that the cost of shipment of the vehicle to the alternate destination may not exceed the constructive cost of shipment to the actual residence. Since this is a change in our view and is predicated upon the result of our decision in Thelma I. Grimes, 62 Comp. Gen. 281, supra, it may not be applied to individuals separated prior to April 10, 1984, the date of that decision.

We have reviewed the current provisions of the Joint Travel Regulations, especially Chapter 11 concerning the shipment of privately-owned vehicles, and do not find that the provisions thereof prohibit shipment to an alternate port by a separating employee. In fact, paragraph C11004-2b of Chapter 11 (Change 226, August 1, 1984) appears broad enough to permit shipment to a destination specified by the employee. Thus, although the regulation could be changed to make the allowance of an alternate destination entirely clear, as in paragraphs C4201 and C7003-3b(1), we do not find that allowance of such alternate destinations is dependent upon a change in the regulation.

Likewise, the controlling provisions of the Federal Travel Regulations, incorp. by ref., 41 C.F.R. § 101-7.003 (1985), Chapter 2, Part 10, relating to the transportation of privately-owned vehicles do not prohibit transportation in the circumstances in question. Paragraph 2-1.5g(4) of those regulations contains the general statement that "under decisions of the Comptroller General, ordinarily an employee is entitled to travel and transportation expenses upon separation only to the country of actual residence at the time of assignment to such duty." However, this statement predates our decision in Thelma I. Grimes, supra, and is no longer accurate in view of that decision.

Accordingly, the cost of shipping privately-owned vehicles to a port serving the alternate destination of a separating employee, not to exceed the cost of travel to the port serving the actual residence, may be paid by the

B-211490

Government. However payment may be made only in connection with separations after the date of our decision in Thelma I. Grimes, 62 Comp. Gen. 281, supra, i.e., April 10, 1984.



Acting Comptroller General  
of the United States