



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Nick D. Swanstrom - Relocation Miscellaneous
Expenses - Leaded Fuel Use Damage to POV

File: B-227387

Date: December 11, 1987

DIGEST

An employee transferred to an overseas duty station where only leaded fuels are available was authorized to ship his privately owned vehicle (POV) to that location. Although he could remove the catalytic converter to avoid leaded fuel damage to it, he was informed by his POV manufacturer that leaded fuel use could damage the engine and, if so, the damage would not be covered under the warranty. Such damage and repairs would not be reimbursable by the government as a miscellaneous expense under paragraph 2-3.1 of the Federal Travel Regulations. We have previously ruled that repairs of worn or damaged parts of a POV incident to a transfer are not reimbursable as a miscellaneous expense.

DECISION

This decision is in response to a letter from the Commander, Headquarters, Naval Security and Investigative Command, Department of the Navy.^{1/} It concerns the entitlement of Special Agent Nick D. Swanstrom to reimbursement for damage which might occur to his privately owned vehicle (POV) due to the use of leaded fuel while operating that vehicle at an overseas post of duty.^{2/} We hold that he would not be so entitled for the following reasons.

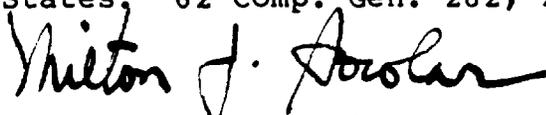
^{1/} This case has been assigned Control No. 87-7 by the Per Diem, Travel and Transportation Allowance Committee.

^{2/} Generally, our Office will not consider hypothetical questions. Virginia M. Borzellere, B-214066, June 11, 1984. However, the question presented is for general application and is not too speculative to prevent our response.

Mr. Swanstrom, an employee of the Naval Security and Investigative Command, was transferred to an overseas duty station in a foreign area, and he was authorized to ship his POV to his new duty station. However, if he should ship his POV to that location, he would be required to operate it without the catalytic converter because of the unavailability of unleaded fuel. Additionally, he has been informed by the manufacturer of his POV that use of leaded fuel, even without the catalytic converter, might cause engine damage which would not be covered by the warranty. The question asked is whether the cost of repairs would be allowable as a claim against the government if it is determined that the damage was caused by leaded fuel.

Neither the statute governing the shipment of motor vehicles, 5 U.S.C. § 5727 (1982), nor the applicable regulations in Part 10 of Chapter 2, Federal Travel Regulations (FTR), incorp. by ref., 41 C.F.R. § 101-7.003 (1985), authorize reimbursement for this type of expense. Furthermore, we have held that the cost of repairing worn or damaged parts on a POV is not reimbursable as a miscellaneous expense under Part 3 of Chapter 2 of the FTR. Adam W. Mink, 62 Comp. Gen. 289, 292 (1983); Thelma A. Hughes, B-204100, Aug. 16, 1982; B-163107, May 18, 1973. Thus, we know of no basis to reimburse the employee should damage occur to his POV as a result of using leaded fuel.

We note that our decisions have allowed reimbursement for the installation or reconnection of pollution control equipment as a miscellaneous relocation expense. 62 Comp. Gen. 282 (1983); Joseph T. Grills, 56 Comp. Gen. 53 (1976). We held in these decisions that the cost of installing or reconnecting pollution control equipment was a cost associated with the registration of the vehicle at the new duty station and thus was reimbursable as a miscellaneous relocation expense. However, we specifically limited reimbursement to those costs associated with installation of pollution control equipment required for registration of the vehicle at the new duty station. Therefore, Mr. Swanstrom would not be reimbursed for disconnecting the catalytic converter upon transfer overseas, but he would be eligible for reimbursement of the cost of reconnecting or reinstalling the catalytic converter upon return to the United States. 62 Comp. Gen. 282, 283, cited above.

for 
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