



**The Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: Ronald C. Galdabini - Shipment of Privately Owned
Vehicle - Reimbursement of Expenses

File: B-229426

Date: November 14, 1988

DIGEST

Following a divorce, an employee's former spouse and children returned to Oregon from Alaska. The employee, who remained in Alaska and retained his privately owned vehicle, seeks to be reimbursed the cost of shipping the other family automobile back to the conterminous United States. In order for the government to pay for the cost of shipping an automobile, there must be specific statutory authority for this and no such authority exists in the circumstances described. See 5 U.S.C. §§ 5727 and 5729.

DECISION

This decision concerns whether Ronald C. Galdabini, an employee of the Forest Service, U.S. Department of Agriculture, may be reimbursed for the cost of shipping a privately owned vehicle (POV) from Juneau, Alaska, to Seattle, Washington.^{1/} In the circumstances described, we conclude that there is no authority for such a payment.

BACKGROUND

In 1967 Mr. Galdabini was transferred from Detroit, Oregon, to Juneau, Alaska. He was accompanied by his spouse and three children. In 1983, Mr. Galdabini and his spouse were divorced. Following the divorce, his former spouse and dependents were authorized travel and transportation expenses to return to the conterminous United States, and they returned to Oregon.

^{1/} The matter was submitted for an advance decision by George M. Fleming, Authorized Certification Officer, Forest Service, U.S. Department of Agriculture.

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Mr. Galdabini, who had been authorized to ship a POV at government expense when he relocated to Alaska, retained this POV. Another family automobile, however, was shipped, unaccompanied, via the Alaska Marine Highway Ferry System from Juneau, Alaska, to Seattle, Washington. The former spouse and children travelled by commercial airline to Seattle where the car was picked up and driven to Eugene, Oregon. Mr. Galdabini paid \$512 for the car's ferry shipment and his eventual claim for reimbursement for transportation of his vehicle from Juneau to Seattle was denied.

The Forest Service is unaware of any statutory or regulatory authority for paying the costs of shipping a POV in conjunction with the return of a former spouse and children, especially since the employee retained his POV at the duty station.

OPINION

Section 5727(a) of title 5, United States Code, states:

"Except as specifically authorized by statute, an authorization in a statute or regulation to transport the effects of an employee or other individual at Government expense is not an authorization to transport an automobile."

Accordingly, our sole inquiry is whether there is specific statutory authority to pay for the shipping of this POV. The only basis upon which this claim could be paid is under subsection (b) of § 5727 which provides:

"Under such regulations as the President may prescribe, the privately owned motor vehicle of an employee . . . may be transported at Government expense to, from, and between the continental United States and a post of duty outside the continental United States, or between posts of duty outside the continental United States, when--

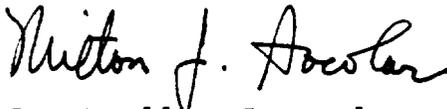
"(1) the employee is assigned to the post of duty for other than temporary duty; and

"(2) the head of the agency concerned determines that it is in the interest of the Government for the employee to have the use of a motor vehicle at the post of duty."

As the implementing regulations for 5 U.S.C. § 5727(b) make clear, there is no authority to pay for the transportation

of the automobile in question. In order for an employee to qualify for shipment of his POV at government expense, among other things, "the vehicle must be primarily for use as personal transportation contributing to the employee's effectiveness on the job." FTR, para. 2-10.1a(2). An employee's POV shipped to his post of duty at government expense may then be transported back to the conterminous United States at government expense under two situations. These are if (1) the agency determines that the conditions which supported the original authorization for shipment of the POV no longer exist or (2) the employee is transferred to the conterminous United States or a duty station outside the conterminous United States to which he is not authorized to transport a POV. See FTR, paras. 2-10.3b and 2-10.3d. Neither situation is present here since the employee was not transferred and he retained the POV originally shipped at government expense, which he used for personal transportation contributing to his job effectiveness. The vehicle shipped was the second family vehicle, apparently the one used primarily for the convenience of the family. A second family vehicle cannot be shipped at government expense. See John Patrick Reeder, B-188391, Dec. 16, 1977. Indeed, even a sole family vehicle used primarily for the convenience of an employee and his family cannot be shipped at government expense. FTR, para. 2-10.2c(1).

Accordingly, the cost of shipping the motor vehicle must be borne by Mr. Galdabini.

for 
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