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Dear Mr. Moss:

As requested in your letter of April 18, 1972, we have investigated the statements made by Master Sergeant Joseph C. Sullivan concerning certain activities of Captain James C. Quigley, Officer in Charge, Tri-Service Air Traffic Coordinating Office (ATCO), Don Muang Air Base, Bangkok, Thailand.

Master Sergeant Sullivan stated in his letter to you that Captain Quigley

- had used Military Airlift Command (MAC) flight 461 from New Delhi, India, to Bangkok, Thailand, to transport wooden screens and other articles for financial gain and
- had removed nine space-required passengers from a MAC flight and had procured seats for them on a commercial flight for the sole purpose of making room for space-available passengers on the MAC flight.

Our investigation generally corroborated Master Sergeant Sullivan's statements. We found that Captain Quigley had been using MAC aircraft to transport wooden screens from New Delhi to Bangkok. We found also that Captain Quigley had removed nine official-duty passengers from a MAC flight to make room for space-available passengers. We found further that unnecessary commercial airline costs had been incurred for as many as 75 other official-duty passengers, in addition to the nine passengers cited by Master Sergeant Sullivan, because seats on MAC aircraft had been reserved for use by space-available passengers.

These actions by Captain Quigley were clearly in violation of Department of Defense regulations; however, there were certain extenuating circumstances in connection with his handling of space-available passengers.

At your request we had intended to protect the source of our information, but we found that Master Sergeant Sullivan

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had informed the other members of the ATCO staff of his letter to you and that they had general knowledge of the reason for our visit. In addition, someone apparently had informed Captain Quigley of the nature of our work at ATCO. To our knowledge higher Air Force echelons had not been informed.

GOVERNMENT AIRCRAFT USED FOR  
PERSONAL FINANCIAL GAIN

Our review confirmed that Captain Quigley had used MAC aircraft to transport wooden screens from New Delhi to Bangkok. However, we were unable to determine from the evidence available the quantity of screens involved or the personal gain realized. Captain Quigley stated that he had purchased about 15 screens for other people. Master Sergeant Sullivan and other personnel indicated that the number may have been in the hundreds. One person who had worked in the Don Muang terminal from October 1971 to the time of our visit in May 1972 informed us that during that period virtually every time flight 461, a weekly flight, arrived from New Delhi it carried merchandise marked for Captain Quigley. Other personnel informed us that on one occasion the pilot of flight 461 had complained to ATCO about the quantity of this material on his plane.

Master Sergeant Sullivan provided us with copies of certain records maintained by Captain Quigley on his screen transactions. He also gave us copies of correspondence from Captain Quigley's supplier in New Delhi.

We established that Captain Quigley had usually sold the wooden screens for \$40, although his cost was only \$29. We also found that prior to our visit he had begun refunding \$10 to screen purchasers whom he could contact. According to Captain Quigley, he had considered retaining the \$10 as compensation for his time and trouble in obtaining the screens. He said he originally had not been aware that this would be improper. Subsequently, in late March or early April 1972, Captain Quigley stated he heard about an officer in Vietnam who had been court-martialed for this sort of activity. Upon

B-175812

learning that his actions had been improper, Captain Quigley said that he started giving refunds to screen purchasers.

Air Force Regulation 76-10 provides that use of aircraft operated by or for the Air Force for transporting property for its sale or other disposal for financial gain is strictly prohibited and that any member of the military service engaging in the foregoing practice is subject to trial by court-martial. Master Sergeant Sullivan informed us that he had shown Captain Quigley the section of MAC manual on this subject.

On the basis of the evidence obtained, there is no doubt that Captain Quigley was regularly and extensively engaged in transporting personal merchandise from New Delhi to Bangkok. In the language of Air Force Regulation 76-10 this practice "\*\*\* constitutes an improper and unauthorized use of publicly-owned facilities." The punitive provisions of the regulation apply if this activity is conducted for personal financial gain. We therefore believe that this matter should be brought to the attention of the Air Force's Office of Special Investigations for appropriate action.

DUTY PASSENGERS REMOVED TO MAKE ROOM  
FOR SPACE-AVAILABLE PASSENGERS

Our review confirmed that Captain Quigley had removed nine official-duty passengers from MAC flight H2T2 on March 4, 1972, and had obtained commercial airline seats for them to create room on the flight for space-available passengers. The nine commercial tickets for travel to Honolulu, Hawaii, and San Francisco, Calif., cost the Government \$2,400.

We were informed that Captain Quigley had issued instructions that, as of March 6, 1972, all unreserved seats on MAC flights to the United States during the remainder of March be used only for space-available passengers. Those seats were thereby denied to personnel whose orders authorized travel by MAC. We found that the Army had attempted to place official-duty passengers on certain flights but had been informed that no space would be available until the end of the month.

Our examination of flight manifests showed that 181 space-available passengers had traveled on MAC flights from Don Muang to the United States during March. Also during March 75 official-duty passengers traveled by commercial airline, at a total cost to the Government of \$21,139, to destinations served by these MAC flights. We did not attempt to verify that the requirements of all of these 75 passengers could have been met by the MAC flights. In our opinion it is very probable that some--if not all--of these people could have traveled on the MAC flights if seats had not been reserved for space-available passengers.

Our inquiry into these matters showed that the above actions had been taken to alleviate a backlog of "acquired dependents" awaiting space-available transportation. Under Department of Defense regulations, a member of the military on an unaccompanied, short overseas tour is not entitled to Government transportation for any dependents acquired--primarily through marriage--in the country where the member is stationed. These dependents, unlike others, are not entitled to reserved seats on MAC flights. They must travel either by commercial carrier or on a space-available basis on MAC flights.

According to the information we obtained from Captain Quigley and other sources, there was a buildup of acquired dependents at Don Muang in late February and early March 1972. We were informed that some families were virtually destitute. Captain Quigley said he had brought this matter to the attention of his superiors at 13th Air Force Headquarters at Clark Air Base in the Philippines and had been authorized to take action to correct the situation.

We spoke to the Director of Transportation at 13th Air Force who said that, although Captain Quigley had not been specifically authorized to take the actions he took, he had been told to "maximize where he could" and to "utilize whatever means he could" to move the acquired dependents. As a result the United States incurred costs which, within the

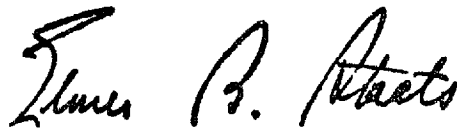
B-175812

framework of existing regulations, should have been paid by the personnel sponsoring the acquired dependent's travel.

2, 3 During a discussion with your office, it was agreed that you would bring these matters to the attention of the appropriate Air Force and Department of Defense personnel.

We have not solicited the comments of the military departments concerning the contents of this letter. We plan no further distribution of this report unless copies are specifically requested, and then we shall make distribution only after your agreement has been obtained or public announcement has been made by you concerning the contents of this report.

Sincerely yours,



Comptroller General  
of the United States

W, R  
The Honorable John E. Moss  
House of Representatives