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Use of Government Vehicles (4 of 5)

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*FS 001-02*

**WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET**

JV

- O - OUTGOING
- H - INTERNAL
- I - INCOMING  
Date Correspondence Received (YY/MM/DD)    /    /

*(Signature)*

Name of Correspondent: Richard A. Hausen

MI Mail Report User Codes: (A)    (B)    (C)   

Subject: Spouse Use of Government Vehicles  
(EPA)

**ROUTE TO:**

**ACTION**

**DISPOSITION**

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response Code	Completion Date YY/MM/DD
<u>W Holland</u>	<u>ORIGINATOR</u>	<u>84104109</u>		<u>  </u> / <u>  </u> / <u>  </u>
<u>WAT 18</u>	<u>A</u>	<u>8410410</u>		<u>  </u> / <u>  </u> / <u>  </u>
		<u>  </u> / <u>  </u> / <u>  </u>		<u>  </u> / <u>  </u> / <u>  </u>
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**ACTION CODES:**

- A - Appropriate Action
- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet to be used as Enclosure
- I - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

**DISPOSITION CODES:**

- A - Answered
- B - Non-Special Referral
- C - Completed
- S - Suspended

**FOR OUTGOING CORRESPONDENCE:**

- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

Comments: Jim Barnes

Keep this worksheet attached to the original incoming letter.  
Send all routing updates to Central Reference (Room 75, OEOB).  
Always return completed correspondence record to Central Files.  
Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

# RECORDS MANAGEMENT ONLY

## CLASSIFICATION SECTION

No. of Additional Correspondents: \_\_\_\_\_ Media: 0 Individual Codes: 110 \_\_\_\_\_

Prime Subject Code: IF 00102 Secondary Subject Codes: IN001 \_\_\_\_\_  
EG 122 \_\_\_\_\_  
 \_\_\_\_\_

## PRESIDENTIAL REPLY

Code	Date	Comment	Form
C	_____	Time: _____	P- _____
DSP	_____	Time: _____	Media: _____

**SIGNATURE CODES:**

- CPn - Presidential Correspondence
- n - 0 - Unknown
- n - 1 - Ronald Wilson Reagan
- n - 2 - Ronald Reagan
- n - 3 - Ron
- n - 4 - Dutch
- n - 5 - Ron Reagan
- n - 6 - Ronald
- n - 7 - Ronnie

- CLn - First Lady's Correspondence
- n - 0 - Unknown
- n - 1 - Nancy Reagan
- n - 2 - Nancy
- n - 3 - Mrs. Ronald Reagan

- CBn - Presidential & First Lady's Correspondence
- n - 1 - Ronald Reagan - Nancy Reagan
- n - 2 - Ron - Nancy

**MEDIA CODES:**

- B - Box/package
- C - Copy
- D - Official document
- G - Message
- H - Handcarried
- L - Letter
- M - Mailgram
- O - Memo
- P - Photo
- R - Report
- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study

THE WHITE HOUSE

WASHINGTON

April 6, 1984

221495 *ca*

MEMORANDUM FOR FRED F. FIELDING

FROM: RICHARD A. HAUSER *RH*

SUBJECT: Spousal Use of Government Vehicles

Jim Barnes, General Counsel at EPA, advises that that agency has issued no written guidelines on the use of government vehicles by an official's spouse. Mr. Barnes indicated that this issue was rendered largely moot when the Congress eliminated the Administrator's portal-to-portal authority. The Administrator's spouse may, however, accompany the Administrator when on official business.

*FI 001-02*

JV

**WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET**

- O - OUTGOING
- H - INTERNAL
- I - INCOMING  
Date Correspondence Received (YY/MM/DD) 1/1

*JR*

Name of Correspondent: *L. Miedelchner*

MI Mail Report User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: *Use of Government Motor Vehicles (Reference)*

**ROUTE TO:**

**ACTION**

**DISPOSITION**

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response Code	Completion Date YY/MM/DD
<u><i>W Holland</i></u>	<u>ORIGINATOR</u>	<u><i>DDI 104106</i></u>		<u><i>1/1</i></u>
<u><i>WAT 19</i></u>	<u><i>A</i></u>	<u><i>DDI 84104109</i></u>		<u><i>1/1</i></u>
		<u><i>1/1</i></u>		<u><i>1/1</i></u>
		<u><i>1/1</i></u>		<u><i>1/1</i></u>
		<u><i>1/1</i></u>		<u><i>1/1</i></u>

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Comments: \_\_\_\_\_

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GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE

WASHINGTON, D.C. 20301

April 6, 1984

221152 *aw*

MEMORANDUM FOR THE HONORABLE FRED FIELDING, COUNSEL TO THE  
PRESIDENT

SUBJECT: Use of Government Motor Vehicles

At your meeting on April 2, 1984, you requested a memorandum on the following three items:

1. Any existing guidance with respect to the use of vehicles by spouses;
2. Any reimbursement formula with respect to perceived misuse of vehicles; and
3. Any system of record-keeping with respect to use of official vehicles.

In addition, you requested comments on domicile to duty transportation.

The response to your three questions is as follows:

1. The use of official vehicles by spouses is not specifically addressed in either the statute governing the use of government vehicles by government employees, 31 U.S.C. 1344, "Passenger motor vehicles and aircraft use" or in the implementing regulations of the Department of Defense, DoDD 4500.36, "Management, Acquisition, and Use of Motor Vehicles," and DoD Regulation 4500.36-R.

However, a number of regulations do address the use of motor vehicles by dependents and family members of DoD officials. DoD Reg. 4500.36-R provides that transportation in DoD owned or controlled vehicles of "military personnel, civilian officials and employees, members of their families, or others" is unauthorized if for the purpose of conducting personal business or other activities of a personal nature. Moreover, Administrative Instruction No. 70, "Offices of the Secretaries of Defense and the Air Force Executive Motor Pool," applicable to the Office of the Secretary of Defense, states that the use of government owned vehicles for the transportation of dependents or visitors without the accompanying government officials is unauthorized. Excerpts from DoD Reg. 4500.36-R, and full text of Admin. Inst. #70 are attached as Tabs A, and B.

Whether a particular use is for an official purpose is a matter of administrative discretion to be determined by considering all relevant factors, including whether the transportation is consistent with the purposes for which the vehicle was acquired

and whether it is essential to the successful completion of a DoD activity, function, or operation (DoD Reg. 4500.36-R). It may be argued that under the provisions discussed above, the use of a DoD vehicle by the spouse of the Secretary of Defense would be appropriate if in furtherance of an official DoD purpose.

2. None of the regulations governing the use of DoD vehicles provide a reimbursement formula for improper use of vehicles. However, in response to an audit of Executive Motor Pool (EMP) records for June through November 1982 conducted by the Assistant Inspector General for Auditing that revealed numerous instances of transportation in DoD vehicles for personal business, the Deputy Assistant Secretary for Defense (Administration) applied a reimbursement formula based upon commercial taxi rates for the Washington, D.C. Metropolitan area, established by the Washington Metropolitan Area Transit District, effective May 17, 1982.

3. DoD Reg. 4500.36-R requires that DD Form 1970, "Motor Vehicle Utilization Record" be completed each time a DoD vehicle is used. The form requires a listing of the date, time, mileage, hours, and duration, and user. Deputy Assistant Secretary (Administration) maintains these records.

*for home use?*

Status of the Use of Official Vehicles Between Domicile  
and Duty Station

By way of background, the Department of Defense regulation dealing with the use of motor vehicles (DoD 4500.36-R) authorizes DoD officials listed in Tab C to use DoD vehicles for transportation between domicile and duty station on a regular basis.

On June 3, 1963, the Comptroller General, in response to an inquiry from the Chairman of the House Committee on Government Operations, issued a decision on the use of government vehicles for transportation between home and work. In that decision the Comptroller General concluded that the only officials within DoD who were authorized under 31 U.S.C. 1344 to use government vehicles for home to work transportation were the Secretary of Defense and the Secretaries of the Military Departments. The Comptroller General limited the effectivity of his decision with respect to the Deputy Secretary of Defense until the end of the 98th Congress in recognition of a number of legislative proposals that the GAO had made over a period of time. This delay was to permit the Congress to enlarge the scope of the statute by legislation.

On September 21, 1983, DoD forwarded for clearance to the Office of Management and Budget a legislative proposal that would add a new section 2636 in Title 10 of the U.S. Code. This new section would permit the use of government-owned vehicles for home to duty transportation for (1) the Chairman of the Joint Chiefs of Staff, (2) the Chiefs of Staff of the Army and Air Force, the Chief of Naval Operations, the Commandant of the



Marine Corps, (3) the Deputy Secretary of Defense, and (4) the Under Secretaries of Defense. The Secretary of Defense and the Secretaries of the Military Departments under the terms of the GAO decision would continue to be authorized to use government vehicles for home to duty transportation under 31 U.S.C. 1344. The Office of Management and Budget has not cleared our request for submission to the Congress.

Also on September 21, 1983, DoD wrote to the Comptroller General advising that we considered the date for implementing the decision should also be postponed for the Chairman of the Joint Chiefs of Staff, the Chiefs of Staff of the Military Departments and the Under Secretaries of Defense. This letter also stated that we had submitted a legislative proposal to the Office of Management and Budget for clearance.

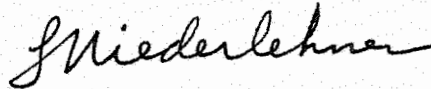
On October 21, 1983, Mr. Socolar on behalf of the Comptroller General, responded to our letter of the 21st referred to above. The Comptroller General agreed that the delay of the effective date on the earlier decision until the end of the present Congress would also be applicable to the Chairman of the Joint Chiefs of Staff and the Chiefs of Staff of the Military Departments. The GAO disagreed with our request to delay the effect of their decision on the Under Secretaries of Defense. On January 31, 1984, we sent a reclama letter to the Comptroller General explaining why the delay should also be applicable to the two Under Secretaries. We have not received a response to this latest submission.

In summary:

- There is no dispute that the Secretary of Defense and the Secretaries of the Military Departments are authorized to use government vehicles for transportation between domicile and duty station under 31 U.S.C. 1344.
- The legislative proposal is at OMB for clearance to permit domicile to duty transportation for the Chairman of the Joint Chiefs of Staff, the Chiefs of Staff of the Military Departments and the Commandant of the Marine Corps, the Deputy Secretary of Defense, and the Under Secretaries of Defense.
- The GAO has determined that except for the Secretary of Defense and the Secretaries of the Military Departments, domicile to work transportation is not authorized for any other officials under the "heads of



executive departments" exception, but has delayed the effective date of this decision for all of the officials included in our legislative proposal except for the Under Secretaries of Defense.

A handwritten signature in cursive script, appearing to read "L. Niederlehner".

L. Niederlehner  
Acting General Counsel

Enclosures

Pertinent Provisions of Department of Defense  
Regulation 4500.36-R, "Management, Acquisition,  
and Use of Motor Vehicles"

2-5. Official Use of Vehicles. The use of all DOD motor vehicles shall be restricted to official purposes only. When questions arise concerning the official use of a vehicle, they shall be resolved in favor of strict compliance with statutory provisions and the policies of this regulation.

a. Determination of whether a particular use is for official purposes is a matter of administrative discretion to be exercised within applicable laws and regulations. In making such a determination consideration shall be given to all pertinent factors, including whether the transportation is:

(1) Essential to the successful completion of a DOD function, activity, or operation; and

(2) Consistent with the purpose for which the vehicle was acquired.

b. Use of DoD motor vehicles shall not be authorized for transporting DoD or other personnel over all or any part of the route between their domiciles and places of employment except as authorized in paragraph 2-5j, and chapters 4 and 5.

c. Unless authorized under provisions of chapter 5, transportation to, from, or between locations cannot be established for the purpose of conducting personal business or engaging in other activities of a personal nature by military personnel, civilian officials and employees, members of their families or others.

d. Transportation may be provided between lodgings and duty stations for personnel on temporary duty, when public or commercial facilities are inadequate or nonexistent. The temporary duty status of an individual does not necessarily justify the furnishing of transportation by DoD motor vehicles. Use of DoD vehicles in such cases shall always be predicated on need, distance involved, and other conditions which justify their use. When an adequate DoD bus system is in operation, the use of any individual motor vehicle, hire from GSA, or public rent-a-car is prohibited.

e. Transportation support of groups may be provided for authorized activities such as installation-sponsored athletic teams, welfare, morale, recreation, and chaplain's programs when it has been determined by the responsible commander that failure to provide such service would have an adverse effect on the morale of the service personnel. Paragraph 5-9 contains details on providing such transportation.

f. Transportation may be provided for military and civilian personnel officially participating in public ceremonies, military field demonstrations, and parades directly related to official activities.

g. Transportation may be provided to support domestic action programs in accordance with instructions established by DoD Components. When reimbursement is not required by law, it shall be obtained whenever it is feasible.

h. Prospective military recruits may be provided transportation in connection with interviewing, processing and orientation.

i. Transportation by a DoD motor vehicle shall not be provided when the justification is based on reasons of rank, prestige or personal convenience.

## CHAPTER 4

## TRANSPORTATION BETWEEN DOMICILE AND PLACE OF EMPLOYMENT

## 4-1. General

a. Official Use. The use of all DoD-owned and controlled motor vehicles shall be restricted to official purposes only.

(1) Title 31, U.S.C. 638a(c)(2)(reference (j)) provides in pertinent part that official purposes shall not include transportation between domiciles and places of employment except in cases of medical officers on outpatient medial service, and officers and employees engaged in field work, and the character of whose duties makes such transportation necessary, and only as to such latter cases when approved by the head of the department concerned. This restriction on transportation between domicile and place of employment applies to transportation to, from, and within, as well as that wholly outside DoD installations.

(2) The same statute exempts from this limitation any motor vehicles for official use of the President, the heads of executive departments enumerated in 5 U.S.C. 101 (reference (o)), principal diplomatic officials, and certain others.

b. Exemptions

(1) Pursuant to the exemptions granted by 31 U.S.C. 638a(c)(2)(reference (j)), the Department of Defense officials listed in appendix B are authorized to use U.S. Government-owned or controlled motor vehicles for transportation between their domiciles and places of employment, as heads of executive departments and principal diplomatic officials.

(2) Transportation between domicile and place of employment is also authorized in the following cases:

(a) Medical Officers. Such transportation is authorized for medical officers only while performing out-patient medical service away from a hospital.

(b) Field Work. Transportation may be approved by the Head of the Component concerned for personnel who are engaged in field work when the nature of their duties makes such transportation necessary and other transportation is not adequate. Such authority may not be delegated. Examples of approved field work would include:

1 Military recruiters who proceed directly from their domiciles to conduct official recruiting matters when it is

determined to be infeasible or impractical for the recruiter to first proceed to an office location where the government vehicle is normally garaged.

2 Personnel proceeding on temporary duty (TDY) directly from their domicile when they have been authorized the use of a government-owned vehicle for that purpose and it has been determined by the head of the installation/activity that it would be infeasible, impractical, or more costly to have the DoD member proceed first to the normal duty station to obtain the vehicle before leaving on the directed TDY.

(3) The Chairman of the Joint Chiefs of Staff, with the authority to delegate to the Commanders of Unified Commands and the Directors of Defense Agencies who report to him, is authorized to approve the use of DoD-owned or leased vehicles for transportation between domicile and place of employment in those limited essential cases involving DoD personnel stationed overseas (outside the United States and its territories and possessions), where it has been determined that there exists a clear and present danger of terrorist activities, and then only when furnishing of such government transportation will provide protection not otherwise available (54 Comp. Gen. 855(1975)). Such approvals must be limited to the time that both of these conditions exist, and this authority may not be redelegated.

#### 4-2. Policy

a. Requests for authority to provide Government-owned vehicles to officers or employees engaged in field work shall be submitted with full justification in accordance with instructions of the DoD Component concerned.

b. Transportation between domicile and place of employment shall not be provided because of the applicant's being on call constantly or because he must be prepared to leave at any moment in the event of an emergency except as authorized in paragraph 2-5j.

c. Except for those officials listed in appendix B, all domicile to duty determinations will be reviewed annually by the DoD Component concerned to determine:

(1) Need for continuance of the service.

(2) Changes in existing service.

(3) Whether the type of service currently being performed should be properly classified as a group transportation service.

d. "Any officer or employee of the Government who willfully uses or authorizes the use of any Government-owned passenger motor vehicle... or of any passenger motor \_\_\_\_\_→

vehicle...leased by the Government, for other than official purposes or otherwise violates the provisions of this paragraph shall be suspended from duty by the head of the department concerned, without compensation, for not less than one month, and shall be suspended for a longer period or summarily removed from office if circumstances warrant" (31 U.S.C. 638a(c)(2) (reference (j))).

4-3. Transportation of Acting DoD Officials. A person in an "acting" capacity in any of the positions listed in appendix B is not authorized transportation between domicile and place of employment.

4-4. Transportation of Official Visitors. Official non-DOD visitors invited to participate in DOD activities may be provided fare-free transportation between commercial transportation terminals or residence and visitation point.

4-5. Transportation Terminals. Motor vehicles owned or otherwise controlled by the DoD shall be used for trips between domiciles or places of employment and commercial or military terminals only when: (a) used by officials authorized transportation between domiciles and places of employment as heads of executive departments, and principal diplomatic officials (appendix B), (b) necessary because of emergency situations or to meet security requirements, (c) the terminals are located in areas where other methods of transportation (see paragraph 2-7) cannot meet mission requirements in a responsive manner, or (d) authorized in paragraph 4-4. When considering initiating routine, recurring transportation service, it must be justified by a cost analysis as required by DoD Instruction 4100.33 (reference (p)) and approved by the Departmental Secretary. In the NCR, provisions of DoD Instruction 4515.7 (reference (b)) apply.

DEPARTMENT OF DEFENSE OFFICIALS  
AUTHORIZED TRANSPORTATION BETWEEN  
DOMICILE AND PLACE OF DUTY

1. The Secretary of Defense
2. The Deputy Secretary of Defense
3. The Secretaries of the Military Departments
4. The Chairman, Joint Chiefs of Staff
5. The Chiefs of Staff of the Army and Air Force, the Chief of Naval Operations and the Commandant of the Marine Corps
6. The Under Secretaries of Defense
7. Four-star commanders outside the National Capital Region who do their own driving

COMPTROLLER  
(Administration)

May 13, 1983

## ADMINISTRATIVE INSTRUCTION NO. 70

SUBJECT: Offices of the Secretaries of Defense and the Air Force Executive Motor Pool

- References:
- (a) DoD Directive 5110.4, "Washington Headquarters Services," October 1, 1977
  - (b) DoD 4500.36-R, "Management, Acquisition, and Use of Motor Vehicles," July 1981, authorized by DoD Directive 4500.36, July 18, 1979
  - (c) DoD Instruction 4515.7, "Use of Motor Transportation and Scheduled DoD Bus Service in the National Capital Region," August 11, 1972
  - (d) Title 31, United States Code, Section 638a(c)(2)(1976)

A. PURPOSE

Under reference (a), this Instruction supplements references (b) and (c) by providing policy, assigning responsibilities, and prescribing procedures for the operation and use of the Office of the Secretary of Defense and the Office of the Secretary of the Air Force executive motor pool (OSD/OSAF EMP).

B. APPLICABILITY

This Instruction applies to the Office of the Secretary of Defense (OSD), the Office of the Secretary of the Air Force (OSAF), the Organization of the Joint Chiefs of Staff (OJCS), and those Defense Agencies in the National Capital Region (NCR) that are supported by Washington Headquarters Services (WHS) (hereafter referred to collectively as "DoD Components").

C. DEFINITIONS

1. Assistant Office Motor Vehicle Transportation Officers (AOMVTOs). The officials designated and authorized by an Office Motor Vehicle Transportation Officer (OMVTO) to request transportation service from the OSD/OSAF EMP.
2. National Capital Region. Includes the District of Columbia; Montgomery and Prince George's Counties in Maryland; and Arlington, Fairfax, Loudoun, and Prince William Counties and the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park in Virginia.
3. Office Motor Vehicle Transportation Officers. The designated representatives of the DoD Components serviced by the OSD/OSAF EMP.
4. Official Purposes. Any application of a motor vehicle in support of authorized DoD functions, activities, or operations.



## D. POLICY

1. Transportation from the OSD/OSAF EMP shall be provided for the official use of DoD officials occupying the positions listed in enclosure 1 (priority basis) and enclosure 2 (space available basis).

2. Under the exemptions granted by 31 U.S.C. 638a(c)(2)(1976) (reference (d)), the following are the only DoD officials authorized to use, on a daily basis, DoD-owned or -controlled motor vehicles for transportation between their domiciles (homes) and places of employment (work): Secretary of Defense; Deputy Secretary of Defense; Secretaries of the Military Departments; Chairman, JCS; Under Secretaries of Defense; Chiefs of Staff, Army and Air Force; Chief of Naval Operations; and Commandant, United States Marine Corps.

3. The following OSD, JCS, and OSAF officials are authorized EMP transportation between home and work on an exception basis when they determine it to be essential to the successful accomplishment of their duties for a particular day, but not on a daily or routine basis: the Assistant Secretaries of Defense; General Counsel, DoD; Inspector General, DoD; Under Secretary of the Air Force; Assistant Secretaries of the Air Force; Vice Chief of Staff of the Air Force; and Director, Joint Staff. An official in an "acting capacity" in any of these positions is not authorized transportation between home and work.

4. The OSD, JCS, and OSAF officials listed in subsections D.2. and D.3., above, are authorized EMP transportation between home or work and local commercial transportation terminals. For all other DoD officials, such transportation may be authorized on an exception basis by the Deputy Assistant Secretary of Defense (Administration) when required because of emergency situations or security requirements or when public or commercial transportation is inadequate. Public and commercial transportation to commercial terminals in the NCR generally is considered adequate for all but the most unusual circumstances. Since public and commercial transportation to and from Andrews Air Force Base or Davison Army Airfield is not routinely available, the EMP may be used to satisfy official requirements to these air terminals.

5. All DoD officials using or authorizing the use of government-owned or -leased vehicles shall be aware that vehicles can be used only for official purposes and that their use otherwise is contrary to law. Reference (d) states, in substance, that any officer or employee of the government who willfully uses or authorizes the use of any government-owned passenger motor vehicle for other than official purposes shall be suspended from duty by the head of the DoD Component concerned, without compensation, for not less than 1 month, and shall be suspended for a longer period or summarily removed from office if circumstances warrant. Examples of unauthorized use include:

- a. Transportation of government officials to private social functions.
- b. Transportation to, from, or between locations for the purpose of conducting personal business.

c. Transportation of dependents or visitors without the accompanying officials.

6. Requests for transportation for second parties in the name of a principal will not be honored.

E. RESPONSIBILITIES

1. The Director, Washington Headquarters Services, shall, under DoD Directive 5110.4 (reference (a)):

- a. Direct and administer the OSD/OSAF EMP.
- b. Designate an OSD/OSAF EMP Coordinator.

2. The Director, Space Management and Services Directorate, WHS, acting as the OSD/OSAF EMP Coordinator, shall:

- a. Manage and operate the OSD/OSAF EMP consistent with the provisions of DoD 4500.36-R (reference (b)) and DoD Instruction 4515.7 (reference (c)).
- b. Provide for the pooling of administrative use vehicles.
- c. Establish procedures for assignment and use of vehicles.
- d. Establish a central dispatch point for control.
- e. Provide for the collection of operational data as a basis for inventory and allowance actions and cost and utilization reporting.
- f. Provide for training of EMP personnel.
- g. Ensure the safety, security, and proper use of equipment.
- h. Provide for rotation of vehicles, when practical and economical, to equalize equipment usage.

3. The Heads of DoD Components serviced by the OSD/OSAF EMP shall:

- a. Designate in writing an OMVTO (normally the Component's executive assistant or administrative officer) and one AOMVTO to serve as the point of contact to request official transportation service from the OSD/OSAF EMP; submit this designation to the Director, Space Management and Services, WHS, Attention: OSD/OSAF EMP; and ensure that changes to this list are reported as they occur.
- b. Ensure compliance with existing laws and regulations governing the use of official transportation and ascertain that the intended use of this service meets the provisions of laws and regulations.

F. PROCEDURES

1. Official transportation may be obtained by calling the OSD/OSAF EMP at 695-1575 or 695-1576 between the hours of 0700 and 1900 hours, Monday through Friday (excluding holidays).

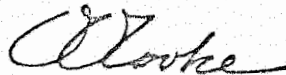
2. Advance reservations are preferred for official vehicle support on weekends, holidays, and beyond normal duty hours. However, if advance reservations are not possible, backup support shall be provided by the Pentagon Motor Pool (PMP). This backup support can be arranged after normal duty hours by calling the Cable Division, Correspondence and Directives Directorate, WHS, at 697-8151. The Cable Division, in turn, shall make the necessary arrangements with the PMP.

3. When making a request for official transportation, OMVTOs shall provide the following information to the dispatcher: date and day of the week that transportation is required; pickup time; passenger's name; location of pickup; destination; special remarks; type of trip ("drop" or "remain with" passenger); and name of requestor. This information shall be read back to the requestor to ensure correctness. All trips shall be drop trips unless otherwise directed; wait periods may not exceed 30 minutes unless unusual circumstances prevail.

4. When departure times and destinations are reasonably close, OSD/OSAF EMP customers shall be asked to rideshare. This will permit more efficient use of the vehicles and possibly prevent another DoD official from being inconvenienced because of vehicle nonavailability.

G. EFFECTIVE DATE

This Instruction is effective immediately.



D. O. Cooke  
Deputy Assistant Secretary of Defense

Enclosures - 2

1. DoD Officials Authorized Use of OSD/OSAF EMP (priority basis)
2. DoD Officials Authorized Use of OSD/OSAF EMP (space available basis)

DoD Officials Authorized Use of OSD/OSAF EMP  
(priority basis)

OSD

Secretary of Defense  
Deputy Secretary of Defense  
Under Secretaries of Defense  
Assistant Secretaries of Defense  
General Counsel, DoD  
Inspector General, DoD  
Deputy Under Secretary of Defense for Policy  
Principal Deputy Under Secretary of Defense for Research and  
Engineering  
Assistant to the Secretary of Defense (Atomic Energy)  
Deputy Assistant Secretary of Defense (Reserve Affairs)  
Principal Deputy Assistant Secretaries of Defense  
Deputy General Counsel, DoD  
Deputy Inspector General, DoD  
Director, Program Analysis and Evaluation  
Director, Net Assessment  
Director, Washington Headquarters Services  
Defense Advisor, U.S. Mission to NATO  
Director, Defense Intelligence Agency  
Director, Defense Security Assistance Agency  
Director, Defense Advanced Research Projects Agency  
Chairman, Reserve Forces Policy Board  
Military Assistants to the Secretary of Defense and Deputy Secretary  
of Defense  
Executive Secretary

Air Force

Secretary of the Air Force  
Chief of Staff of the Air Force  
Under Secretary of the Air Force  
Vice Chief of Staff of the Air Force  
Assistant Secretaries of the Air Force

Joint Chiefs of Staff

Director, Joint Staff  
Assistant to the Chairman  
Directors, J1, J3, J4, and J5  
Director, C3S

DoD Officials Authorized Use of OSD/OSAF EMP  
(space available basis)

OSD

Assistants to the Secretary of Defense  
Deputy Under Secretaries of Defense  
Deputy Assistant Secretaries of Defense  
Director, Test and Evaluation  
Director, Small and Disadvantaged Business Utilization  
Assistant General Counsels  
Principal Deputy Director, Program Analysis and Evaluation  
Deputy Directors, Program Analysis and Evaluation  
Assistant Inspectors General  
Assistant to the Secretary of Defense (Intelligence Oversight)  
Deputy Director, Defense Security Assistance Agency

Air Force

Deputy Under Secretary of the Air Force  
General Counsel of the Air Force  
Principal Deputy Assistant Secretaries of the Air Force  
Assistant Vice Chief of Staff of the Air Force  
Administrative Assistant to the Secretary of the Air Force

# WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

JV

*John*

- O - OUTGOING
- H - INTERNAL
- I - INCOMING

Date Correspondence Received (YY/MM/DD) 1/1

Name of Correspondent: J. C. Argetsinger

MI Mail Report      User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: Agency Guidelines for Use of Official Vehicles (ACTION)

ROUTE TO:	ACTION	DISPOSITION
Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD
<u>W Holland</u>	ORIGINATOR	<u>8/10/06</u>
<u>WAT 18</u>	Referral Note: <u>A</u>	<u>8/04/09</u>
	Referral Note:	
	Referral Note:	
	Referral Note:	
	Referral Note:	
	Referral Note:	

- ACTION CODES:**
- A - Appropriate Action
  - C - Comment/Recommendation
  - D - Draft Response
  - F - Furnish Fact Sheet to be used as Enclosure
  - I - Info Copy Only/No Action Necessary
  - R - Direct Reply w/Copy
  - S - For Signature
  - X - Interim Reply
- DISPOSITION CODES:**
- A - Answered
  - B - Non-Special Referral
  - C - Completed
  - S - Suspended

**FOR OUTGOING CORRESPONDENCE:**

Type of Response = Initials of Signer  
 Code = "A"  
 Completion Date = Date of Outgoing

Comments: \_\_\_\_\_

Keep this worksheet attached to the original incoming letter.  
 Send all routing updates to Central Reference (Room 75, OEOB).  
 Always return completed correspondence record to Central Files.  
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.



# ACTION

WASHINGTON, D.C. 20525

April 4, 1984

221153 *ca*

## MEMORANDUM

TO: Fred F. Fielding  
Counsel to the President

FROM: J.C. Argetsinger *JCA*  
General Counsel

RE: Agency Guidelines for Use of Official Vehicles

In response to your inquiry, ACTION has no individual guidelines or regulations pertaining to use of official vehicles, relying rather on the pertinent GSA guidelines and regulations.



M-607  
**ACTION**  
WASHINGTON, D.C. 20525  
OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE \$300

POSTAGE & FEES PAID  
ACTION



The Honorable Fred F. Fielding  
Counsel to the President  
The White House  
Room WH2/WW  
Washington, D.C. 20500

FI 001-02

*John*

JV

**WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET**

- O - OUTGOING
  - H - INTERNAL
  - I - INCOMING
- Date Correspondence Received (YY/MM/DD) 1/1

Name of Correspondent: Claud Bengrich

MI Mail Report User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: Agency Guidelines on Use of Automobiles (USTR)

ROUTE TO:		ACTION	DISPOSITION			
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>W Holland</u>		<u>ORIGINATOR</u>	<u>84104106</u>			<u>1/1</u>
<u>CU AT18</u>		<u>Referral Note: A</u>	<u>84104109</u>			<u>1/1</u>
		<u>Referral Note:</u>				<u>1/1</u>
		<u>Referral Note:</u>				<u>1/1</u>
		<u>Referral Note:</u>				<u>1/1</u>
		<u>Referral Note:</u>				<u>1/1</u>

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- A - Answered
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  - C - Completed
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- FOR OUTGOING CORRESPONDENCE:**
- Type of Response = Initials of Signer
  - Code = "A"
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Comments: \_\_\_\_\_

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## RECORDS MANAGEMENT ONLY

### CLASSIFICATION SECTION

No. of Additional Correspondents: \_\_\_\_\_ Media: B Individual Codes: 1110 \_\_\_\_\_

Prime Subject Code: FI 00102 Secondary Subject Codes: TN 001  
FB 0014 15

### PRESIDENTIAL REPLY

Code	Date	Comment	Form
C	_____	Time: _____	P-
DSP	_____	Time: _____	Media: _____

**SIGNATURE CODES:**

- CPn - Presidential Correspondence
  - n - 0 - Unknown
  - n - 1 - Ronald Wilson Reagan
  - n - 2 - Ronald Reagan
  - n - 3 - Ron
  - n - 4 - Dutch
  - n - 5 - Ron Reagan
  - n - 6 - Ronald
  - n - 7 - Ronnie
  
- CLn - First Lady's Correspondence
  - n - 0 - Unknown
  - n - 1 - Nancy Reagan
  - n - 2 - Nancy
  - n - 3 - Mrs. Ronald Reagan
  
- CBn - Presidential & First Lady's Correspondence
  - n - 1 - Ronald Reagan - Nancy Reagan
  - n - 2 - Ron - Nancy

**MEDIA CODES:**

- B - Box/package
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- H - Handcarried
- L - Letter
- M - Mailgram
- O - Memo
- P - Photo
- R - Report
- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study

OFFICE OF THE UNITED STATES  
TRADE REPRESENTATIVE  
EXECUTIVE OFFICE OF THE PRESIDENT  
WASHINGTON  
20506

April 4, 1984

221154 *lew*

MEMORANDUM

TO: Fred Fielding

FROM: *[Signature]*  
Claud Gingrich  
General Counsel

SUBJECT: Agency Guidelines on Use of Automobiles

In response to your request at Monday's meeting, this memorandum is to inform you that the Office of the United States Trade Representative has no written guidelines on the use of government automobiles in its files to submit for your use in formulating a government wide policy on this issue.

F-001-02

# WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

- O - OUTGOING
- H - INTERNAL
- I - INCOMING  
Date Correspondence Received (YY/MM/DD) 1 1

*John*

Name of Correspondent: Juan A. del Real

MI Mail Report User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: Use of government vehicles (HHS)

### ROUTE TO:

### ACTION

### DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>W/Holland</u>	<u>ORIGINATOR</u>	<u>84109106</u>			<u>1 1</u>
<u>WAT18</u>	<u>Referral Note:</u>	<u>A 84104109</u>			<u>1 1</u>
	<u>Referral Note:</u>				<u>1 1</u>
	<u>Referral Note:</u>				<u>1 1</u>
	<u>Referral Note:</u>				<u>1 1</u>

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- C - Comment/Recommendation
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Comments: \_\_\_\_\_

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DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

The General Counsel  
Washington, D.C. 20201

April 5, 1984

221155

Mr. Fred Fielding  
Counsel to the President  
The White House  
Washington, D.C. 20500

Dear Mr. Fielding:

This letter will respond to your request at the meeting on Monday, April 2 for certain information from the Department of Health and Human Services respecting the use of government vehicles.

We have reviewed the files of the Office of General Counsel and have discussed this matter with the official responsible for supervising the use of automobiles in the Office of the Secretary. We have found no record of any advice or instructions relating to the transportation of spouses of government officials in official vehicles. We have also searched for records of advice or instructions on the method for determining any reimbursement that may be required from an individual because of his or her use of a motor vehicle. We have found no such records.

You also asked for a description of any records that are kept on the use of official vehicles. With the exception of the automobile assigned for the official use of the Secretary, a log is kept on the use of each vehicle including a description of each trip and name of the official or officials being transported. However, no such log is kept with respect to the automobile assigned for the official use of the Secretary. The only records that are kept on that automobile are those relating to the fuel use and maintenance of the vehicle.

Sincerely,

A handwritten signature in black ink, appearing to read "Juan A. del Real", written over a horizontal line.

Juan A. del Real  
General Counsel

## RECORDS MANAGEMENT ONLY

### CLASSIFICATION SECTION

No. of Additional Correspondents: \_\_\_\_\_ Media: K Individual Codes: 1130 \_\_\_\_\_

Prime Subject Code: FE 00102 Secondary Subject Codes: TN 001  
FB 022

### PRESIDENTIAL REPLY

Code	Date	Comment	Form
C		Time: _____	P- _____
DSP		Time: _____	Media: _____

**SIGNATURE CODES:**

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# WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

- O - OUTGOING
  - H - INTERNAL
  - I - INCOMING
- Date Correspondence Received (YY/MM/DD) 1/1

*John*

Name of Correspondent: Theodore J. Garrick

MI Mail Report      User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: Use of government vehicles (Energy)

### ROUTE TO:

### ACTION

### DISPOSITION

Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CW Holland</u>		<u>DDI</u>	<u>8410412</u>			<u>1/1</u>
<u>WPTIC</u>		<u>DDI</u>	<u>8410413</u>			<u>1/1</u>
			<u>1/1</u>			<u>1/1</u>
			<u>1/1</u>			<u>1/1</u>
			<u>1/1</u>			<u>1/1</u>

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- Completion Date = Date of Outgoing

Comments: \_\_\_\_\_

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## RECORDS MANAGEMENT ONLY

### CLASSIFICATION SECTION

No. of Additional Correspondents: \_\_\_\_\_ Media: L Individual Codes: 1130 \_\_\_\_\_

Prime Subject Code: FI 001 02 Secondary Subject Codes: TN 001  
FG 025 \_\_\_\_\_  
 \_\_\_\_\_

### PRESIDENTIAL REPLY

Code	Date	Comment	Form
------	------	---------	------

C		Time: _____	P- _____
---	--	-------------	----------

DSP		Time: _____	Media: _____
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- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study



Department of Energy  
Washington, D.C. 20585

April 12, 1984

221999 *cu*

Honorable Fred F. Fielding  
Counsel to the President  
The White House  
Washington, D.C. 20500

Dear Fred:

This is in response to your request for certain information concerning the practice of the Department of Energy (DOE) with respect to the use of government motor vehicles and drivers for transportation of the Secretary and his spouse. The practice of DOE in this regard is based upon the provisions of 31 U.S.C. § 1344(b).

Pursuant to this authority, we have advised the Secretary that he is authorized as head of an executive department to use his government vehicle for transportation only on official business. A government vehicle may be used to pick him up at his domicile for transportation to any site on official business and to return him to his domicile. Similarly, I have advised the Secretary that there are limited circumstances when his spouse may use a government vehicle without him being present in the car when that use is for official purposes. For example, the Secretary has been advised that a government vehicle may be dispatched to his domicile to pick up and transport his spouse to the Forrestal Building, to be joined there by the Secretary in proceeding to the site of an official function. He has also been told that when his spouse is required to represent the Secretary in his absence at an official event, such as a diplomatic function, a government vehicle may transport her from her domicile to the official function and return her to her domicile.

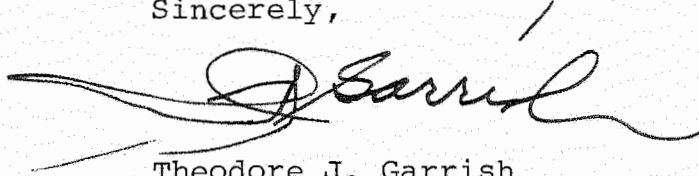
No reimbursements to DOE have been made by its employees for the use of government vehicles as there has been, to our knowledge, no unauthorized use of these vehicles. Records are maintained on all government vehicles by DOE, consistent with government-wide regulations, on fuel consumption, maintenance and chauffeur time and attendance. No trip log is maintained on the Secretary's vehicle.

BY *WJ* 2:06

It is my understanding that the Secretary has acted, and is continuing to act, in accordance with the legal advice set forth above. Accordingly, I would appreciate the opportunity to discuss with you any contemplated government-wide policy that would be contrary to that advice.

I hope this information is helpful to you, and please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Garrish', with a long horizontal flourish extending to the left.

Theodore J. Garrish  
General Counsel