



Office Of The General Counsel

09 JUN 2000

MEMORANDUM FOR COLONEL SMITH, AF/ILEH

FROM: SAF/GCA

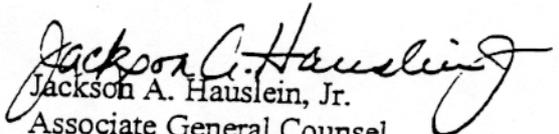
SUBJECT: Drayage and Storage of Household Goods in Connection with Moves into Privatized Housing

You asked our opinion whether it is legally permissible to spend appropriated funds to move and store household goods for an Air Force member relocating from local community housing to local privatized housing.

Section 2882 of title 10, U.S.C. authorizes the Secretary of the Air Force to assign members to privatized housing, and para U5355 (D) of the Joint Federal Travel Regulation (JFTR) entitles a military member to a local move of household goods when ordered to vacate quarters for the convenience of the government. In early May, by reading the above two provisions together, we concluded that the Air Force may approve on a case-by-case basis government funding for a member's move from local economy quarters to privatized housing, when competent authority (i.e. a senior member of the wing staff) determines such a move is for the convenience of the government.

While under certain limited circumstances (such as reassignment, involuntary tour extension, vacating local economy housing and separation) necessary local moves and storage of household goods are authorized by the JFTR, our review of this regulation disclosed no specific language that would permit the Air Force to routinely pay for drayage and storage of household goods when a member relocates from local quarters to privatized housing. Joint Federal Travel Regulation para U5355.

Accordingly, we recommend that a change be submitted to the JFTR which provides clear regulatory authority to entitle a military member to move or store household goods at government expense when he or she relocates from local economy housing or base housing to privatized housing under government approved circumstances.


Jackson A. Hauslein, Jr.
Associate General Counsel

CC:
SAF/FMBIC
SAF/MII

Proposed Drayage and Storage Policy for Privatized Housing

Directed Move for Renovations. At the time a military member is assigned to a privatized housing unit a lease contract will be executed between the member and the landlord. The contract will state the terms of the lease. If the landlord requires the member to vacate the unit for renovations prior to termination of the lease contract the landlord will be responsible for funding the relocation move.

Temporary Housing while Waiting for Base (Privatized) Housing. If the member is in temporary housing incidental to a permanent change of station move and has not accepted a household goods shipment, the move is authorized according to the PCS orders. If the member has accepted the household goods shipment prior to being assigned to a privatized housing unit the move will be funded as a local move at government expense.

Directed Move from Base (Privatized) Housing. Privatized housing will not be authorized by the government once a military member receives retirement, separation or PCS orders, or at the death of the member. Under these conditions the move will be conducted in accordance with the JFTR. When the member is ordered to vacate housing by the landlord because of a violation of the lease contract the move from privatized housing will be at the member's expense.

Military Member Decides to Move from Off base to Base (Privatized) Housing. When a member is assigned to a privatized housing unit from a government waiting list the subsequent move into privatized housing will be at government expense.

Storage of Household Goods. When a member is directed to move into privatized housing from a government waiting list, the member will receive a one-time authority to store household goods at government expense. The member will receive this authority at the time of assignment to the privatized housing unit.



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE
WASHINGTON DC

2 AUG 2000

MEMORANDUM FOR HQ AFMC/CEP *Tom*

FROM: HQ USAF/LEH
1260 Air Force Pentagon
Washington DC 20330-1260

SUBJECT: Drayage and Storage of Household Goods in Connection with Moves into Privatized Housing (Your Memo, 9 Jun 00)

SAF/GCA determined that government funds may be used to move and store household goods for members who are assigned to privatized housing by a competent authority on a case by case basis (Attached SAF/GCA memo, 9 Jun 00). However, the circumstances for such a move is limited in the Joint Federal Travel Regulation (JFTR) and does not provide for moving members into privatized housing on a regular or routine basis.

Therefore, we are working on a change to the JFTR to provide clear guidance and expect to have the change approved and published by Nov 00. Attachment 2 is a draft of the proposed drayage and storage package that we are working with the Per Diem Travel and Transportation Allowance Committee (PTTAC) to implement. Recommend that your applications for case-by-case-exceptions be patterned after this guidance.

Our POC is Ms. Kathy Hurt, DSN 664-4469 or e-mail: kathy.hurt@af.pentagon.mil.

Emmitt Smith

EMMITT G. SMITH, Colonel, USAF
Chief, Housing Division
DCS/Installations & Logistics

cc:
ALMAJCOM/CEP
11 CEG/CEH/CER

Attachments:

1. SAF/GCA Memo, 9 Jun 2000
2. Proposed Drayage and Storage Policy for Privatized Housing

PS: The info in attachment 2 was coordinated with SAF/FM300 and AF/ILTT