

Revised 11 Sep 70

UNIFORM STATE/AID/USIA FOREIGN SERVICE TRAVEL REGULATIONS

**165.5 When No Previous Shipment
Has Been Made**

If no motor vehicle of an employee or member of his family has been transported at Government expense to his present or previous posts abroad, an authorizing officer may, when funds are made available and subject to the time limitations in section 165.4f, authorize shipment of a motor vehicle from the United States to the employee's present post abroad if such shipment is determined to be necessary or expedient in accordance with section 165.1.

For State and USIA, shipment of the vehicles discussed in this section is authorized and funded by Washington; for A. I. D., shipment is authorized by A. I. D. /W and funded by the posts.

165.6 Delivery or Pickup of a Vehicle

When an employee who is not in travel status makes a separate trip for the purpose of delivering or picking up a motor vehicle, the commercial shipment of which has been authorized, he may be reimbursed the following expenses:

- a. Mileage for driving the vehicle one way between the post and the point of delivery or pickup; and
- b. Cost of his transportation by common carrier one way between the post and the point of delivery or pickup.

The reimbursement may not exceed the cost of commercial shipment of the vehicle. No per diem is allowable and leave must be charged for absence from the post.

165.7 Limitations at Specific Posts

The chief of mission, in consultation with other agency heads in the country, determines what restrictions or limitations, if any, are placed upon the motor vehicles brought to posts under his jurisdiction.

These may include, but are not limited to, provisions to assure that the vehicle is suitable and that import of the vehicle is not primarily for resale.

165.8 Shipment of Foreign Vehicles

Except as provided below, a foreign-made motor vehicle may not be shipped at Government expense.

165.8-1 General Exceptions

A foreign-made motor vehicle owned by an employee or member of his family may be shipped at Government expense when the vehicle:

- a. Was purchased prior to March 1, 1961; or
- b. Was purchased by a new appointee at least 3 months prior to the effective date of his appointment; or
- c. Was previously shipped at Government expense under existing regulations at the time of shipment to a post where there were no restrictions on subsequent shipments; or
- d. Was acquired and used by an employee at a post to which shipment of such vehicle at Government expense would have been authorized under existing regulations at the time of acquisition without subsequent shipping restrictions; or
- e. Is identical to a make or model manufactured, assembled, and sold in the U.S. by a U.S. automobile manufacturing firm but was assembled in Canada; or
- *f. Is a right-hand drive vehicle manufactured and/or assembled abroad by a subsidiary of a U. S. automobile manufacturing firm; or *
- g. Must be shipped for evacuation purposes (see section 125.7); or
- h. Was acquired and used by an employee at a post where he did not have free entry privilege to import a motor vehicle and the employee is transferred within the country of acquisition.

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165.8-2 Specific Exceptions

In addition to the exceptions provided in section 165.8-1, and subject to the additional limitations in section 165.8-3, a foreign-made motor vehicle may be shipped at Government expense when the shipment is in connection with an assignment to:

- a. A post located in one of the countries listed in paragraph 1, Exhibit 165.8; or
- b. A post where local laws or other requirements permit only the operation of right-hand drive vehicles, or vehicles of a specified size, and waivers to such laws or requirements cannot be obtained by the post (see paragraph 2, Exhibit 165.8); or
- c. A post warranting the use of foreign-made vehicles for reasons of personal safety of employees (see paragraph 3, Exhibit 165.8). Prior Washington authorization is necessary.

165.8-3 Additional Limitations

- a. Cost. The cost of a vehicle shipped under the provisions of section 165.8-2, paragraphs a, b, and c, may not exceed \$2,500 (\$3,000 for four-wheel drive vehicles). The cost is exclusive of optional accessories.
- *b. Subsequent Shipping. Except when sale is prohibited by local law or sale will result in substantial financial loss to the employee (unable to recover cost of vehicle less 20 percent for each year of use or fraction thereof), vehicles shipped under the provisions of section 165.8-2, paragraphs a and b, may not be subsequently shipped at Government expense to another post not similarly qualified for an exception. A vehicle shipped because of a prohibition on sale, or the employee would incur substantial financial loss, may not again be subsequently shipped at Government expense to another post not similarly qualifying for an exception. When the vehicle cannot be shipped, the employee is authorized to ship a U. S. -manufactured vehicle from the United States to his new post of assignment. *

165.8-4 Documentation

The travel order or amendment thereto must authorize the shipment of the foreign-made vehicle and include a statement that such shipment is in accordance with one of the above criteria. The following wording is suggested: "Shipment of foreign-made vehicle is in accordance with ____." (Specify appropriate paragraph of section 165.8 of 6 FAM/M. O. 560.2 and Transmittal Letter Number.)

165.8-5 Recommendation for Specific Exceptions

- a. Recommendations for exceptions under section 165.8-2, paragraphs a, b, and c, should be submitted by joint STATE/AID/USIA message with action to the regional bureau concerned. The regional bureau will advise the post of approval or disapproval of the recommendation upon the determination made jointly by the Department, A. I. D., and USIA.
- b. Recommendations for exceptions under section 165.8-2, paragraphs b and c, must fully explain the local situation warranting the exception. Recommendations for exceptions under section 165.8-2, paragraph a, must be based on, and fully support, the extreme scarcity or total unavailability of spare parts or repair facilities for U. S. -manufactured vehicles as compared to those available for foreign-made vehicles; a corresponding substantial increase in cost and inconvenience to the employee in maintaining a U. S. -manufactured vehicle as compared to a foreign-made vehicle; and the suitability of U. S. -manufactured vehicles for local conditions as compared to foreign-made vehicles.***

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FOREIGN VEHICLES

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1. Location of posts granted an exception to restriction on shipment of foreign-made, privately owned vehicles (see section 165.8-2a). Except as otherwise noted, all exceptions are effective August 1, 1966.*

Algeria	Malawi
Angola	Mali
Burundi	Mauritania
Cameroon	Mauritius - effective June 28, 1968
Central African Republic	Morocco
Chad	*Nepal - effective April 1, 1970*
Congo, Republic of	Niger
Congo, Democratic Republic of the	Nigeria
Dahomey	Rwanda
Equatorial Guinea - effective March 1, 1969	Senegal
Ethiopia (not including Asmara)	Sierra Leone
Gabon	Somalia
Gambia, The	Southern Rhodesia
Ghana	Sudan
Guinea	Swaziland
Kenya	Tanzania
Lesotho	Togo
Libya	Tunisia
Madagascar	Uganda
	Upper Volta
	Zambia

2. Right-Hand Drive or Size Limitation (section 165.8-2b)

Bermuda - effective July 20, 1967
Ceylon - effective August 1, 1966
Cyprus - effective August 1, 1966
Guyana - effective December 15, 1966

3. Personal Safety of Employees (section 165.8-2c)

Viet-Nam - effective October 25, 1965

166 Use of American and Foreign Flag Carriers (State and USIA)

Section 901 of the Merchant Marine Act of 1936 (see section 181.4) provides that travel and transportation of effects shall be on ships registered under the laws of the United States where such ships are available unless the necessity of the mission requires the use of a ship under a foreign flag. It also vests in the Comptroller General special enforcement responsibilities.

166.1 Definitions

The following definitions apply specifically to section 166:

a. Direct

Without transshipment en route.

b. Nearest

Measurement from point of origin to point of destination according to travel by the usually traveled route.

c. American Ship

Vessel registered under the laws of the United States.

d. Foreign Ship

Vessel registered under the laws of a foreign country.

166.2 Standards for Shipment (State and USIA)

Posts shall exert reasonable efforts to analyze schedules and tariffs on a world-wide basis in routing effects consistent with the following standards which are for guidance only:

a. When both American ships and foreign ships operate directly between a port serving the place where the transportation of effects originates and a port serving the actual destination, shipment of effects shall be made on an American ship.

b. When American ships do not operate directly between a port serving the place where transportation of effects originates and the port serving the actual destination, and foreign ships do so operate, shipment of effects shall be made on a foreign ship.

c. Where there are neither American ships nor foreign ships operating directly between a port serving the place where transportation of effects originates and the port serving the actual destination, and it can be determined that American ships are available for any segment of the journey, the shipment of effects shall be by such routing and shall include American ships where operating. Waiting time at point of transshipment shall be governed by section d below. More than one transshipment for the sole purpose of using American ships is not required.

d. Foreign ships may be used for the shipment of furniture, household and personal effects, including privately-owned motor vehicles, when:

(1) American ships are not scheduled to call at the port of loading within 30 days after:

(a) Notice to ship based on need for immediate shipment of the effects has been received by the post; or

(b) The effects are ready for shipment, whichever is later.

(2) Agents of American ships cannot give reasonable assurance that an American ship scheduled to call at the port of loading within the time specified in subsection (1):

(a) Will actually call at such port of loading within 30 days as scheduled; or

(b) Will discharge cargo at scheduled destination port without transshipment; and where agents of foreign ships can give such reasonable assurance; or

(3) The authorizing officer at the post determines that safe storage facilities are not available and that delay in shipment would expose effects to serious damage or loss from climatic conditions, excessive humidity, pilferage, sabotage, or other hazards beyond the control of the post. In such instances a statement justifying the use of a foreign ship is required.

When the origin or destination is a seaport, it is not necessary to send the shipment to another port in order to utilize an American ship.

166.3 Documentation of Shipments
(State and USIA)

166.3-1 Compliance With GAO ,
Requirements

To assure compliance with Section 901(a) of the Merchant Marine Act of 1936 regarding the use of American flag vessels for transporting household goods and/or personal effects of U.S. Government employees, the U.S. General Accounting Office has supplemented Chapter 3000 of Title 5 of its regulations by issuing Section 3076. Pertinent paragraphs of this Section are quoted below for compliance by the Department, the Agency, and all overseas posts. See section 183.3e.

"3076.10 REQUIRED DOCUMENTATION. All bills submitted by freight forwarders or household goods transporters for the payment of transportation charges for the overseas movement of household goods and/or personal effects must be supported by a copy of the ocean freight bill in addition to the Government bill of lading. (See also 3076.30.)

"3076.20 USE OF AMERICAN FLAG VESSELS. Attention is directed to the provisions of section 901(a) of the Merchant Marine Act of 1936, 49 Stat. 2015, 46 U.S.C. 1241, relative to the required use of American flag vessels by officers and employees of the United States for the transportation of household goods and/or personal effects.

"3076.30 USE OF FOREIGN FLAG VESSELS. Foreign flag service may be used only when American flag service is unavailable or where the necessity of the traveler's mission requires its use. In any instance where foreign flag ocean service is involved in the movement, the ocean carrier, freight forwarder, or household goods transporter must submit with the bill for charges a signed certification...

"3076.40 RESPONSIBILITY OF CERTIFYING OFFICERS. Certifying officers have the responsibility in the first instance of determining the acceptability of the foregoing certificate which must be attached to bills involving movements by foreign flag vessels prior to the certification of such bills."

166.3-2 Issuance of Certificate

When the utilization of foreign flag service is deemed justified under section 166.2, written authorization must be issued. This certificate of justification (format shown in Exhibit 166.3-2) must be signed by an authorizing officer designated by the Department, the Agency, and principal officers of overseas posts. Full justification for the use of a foreign vessel must be shown in the certificate. The certificate (which may be reproduced locally) must be prepared in triplicate. The original and one copy are submitted to the ocean carrier, freight forwarder, or household goods transporter, as appropriate; one copy is retained by the issuing officer or post. The transportation company must be instructed to submit one signed copy of the certificate with the bill to the paying office.

166.4 Use of American and Foreign Flag
Ships (AID)

166.4-1 Policy

Although Executive Order 10784 exempts AID from the requirements of Section 901 of the Merchant Marine Act of 1936, which requires United States Government employees to use ships of United States registry when such ships are available, AID's policy is that American flag ships are to be used for the transportation of effects unless such ships are not available or their use is not feasible.

166.4-2 Standards for Shipment

Instances of exception to this principle include the following:

- a. When AID/W or the Mission Director certifies that American flag ships do not provide adequate service to the destination;
- b. When the shipment of effects would be delayed an unreasonable period of time awaiting an American flag carrier;
- c. When payment for services can be made through use of surplus foreign credits owned by the United States or from AID trust funds and American flag steamship lines will not accept such funds.

Whenever a foreign flag carrier is used, missions or AID/W, as appropriate, are to annotate their records to indicate the reason for such use.