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AD(LA) (2)



Department of Defense Directive

SUBJECT Department of Defense Support for Travel of Members and Employees of the Congress

Refs: (a) DoD Directive 5148.5, "Assistant to the Secretary of Defense (Legislative Affairs)", November 13, 1961

(b) DoD Instruction 4515.3, "Reimbursable and Nonreimbursable Travel by Military Aircraft", October 11, 1954

I. PURPOSE

This Directive prescribes the policy of the Department of Defense with respect to support by the Department of Defense for travel of members and employees of the Congress and assigns responsibility for approving and coordinating requests for transportation from members and employees of the Congress.

II. SUPERSEDURE

Reference (b) is hereby superseded insofar as it relates to travel of members and employees of the Congress and their dependents.

III. DEFINITIONS

A. Military carrier - any means of transportation, land, sea, or air, operated by or for the DoD or any component thereof, including carriers in whole or in part under charter, contract or lease, but excluding automotive transportation.

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- B. Nonsponsored travel - travel by members and employees of the Congress authorized as a result of an official request by the Congress to the DoD.
- C. Sponsored travel - travel by members and employees of the Congress pursuant to an official invitation issued by proper authority in the DoD.
- D. Multidepartmental travel - travel in which two or more Military Departments have a substantial participation in terms of the activities or installations visited.
- E. Reimbursable travel - travel the costs of which are reimbursed to the component or components of the DoD concerned.
- F. Nonreimbursable travel - travel the costs of which are borne by the component or components of the DoD concerned.

IV. POLICY

It is the policy of the Department of Defense that support for approved travel of members and employees of the Congress shall be provided on an economical basis (1) upon request of the Congress pursuant to law or (2) where necessary to carry out the duties and responsibilities of the DoD. The DoD support for travel of members and employees of the Congress shall be based upon consideration of the following factors:

- A. The necessity for the presentation to Congress of the legislative program of the DoD and for responding to inquiries from and cooperation in investigations by the Congress with respect to the DoD.
- B. The contribution that DoD support for travel of members and employees of the Congress may make to the Defense effort and to the exercise by the Congress of its responsibilities in connection therewith.
- C. Prudent utilization of DoD transportation resources.

- D. Assuring that travel of members and employees of the Congress is sponsored by the DoD only where the purpose of the travel is of primary interest to, and bears a substantial relationship to programs or activities of, the DoD and not merely for the purpose of engendering goodwill or obtaining possible future benefits.
- E. Assuring insofar as practicable that the Military Departments have equal opportunity, as among each other, to participate in support for travel of members and employees of the Congress.
- F. Assuring insofar as practicable that support for travel of members and employees of the Congress is provided on a joint basis by the relevant components of the Department.
- G. Assuring that the use of military carriers by members and employees of the Congress complies with transportation policies prescribed by the Secretary of Defense.

V. PROCEDURES

Support may be provided for travel of members and employees of the Congress, which involves use of military carriers in whole or in part, only under the following conditions:

A. Nonsponsored nonreimbursable travel

- 1. A request for travel of members and employees of Congress without reimbursement will be granted when the request -
 - a. is submitted in writing to the Secretary of Defense over the signature of the chairman of the Congressional committee on which the member or employee serves;
 - b. indicates the identities of the individuals for whom travel is requested, the itinerary desired to be followed; and
 - c. states that the purpose of the travel is of primary interest to the DoD and that the expenditure of funds by the DoD is authorized by Section 1314 of the Supplemental Appropriations Act of 1954 (31 USC 22a).

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If such expenditure is not so authorized, the request must specify such other provision of law as authorizes the expenditure by the DoD.

2. The Assistant to the Secretary of Defense (Legislative Affairs) will assign the responsibility for travel approved under paragraph V.A. 1. to one of the Military Departments or to the Office of the Secretary of Defense as he may deem appropriate in each case. In the event the responsibility is retained by the OSD, the ATSD(LA) will assign responsibility to one or more of the Military Departments for the necessary support.
3. Requests for support without reimbursement for travel of an official Congressional delegation in connection with the funeral of a member of Congress who dies in office will be granted if the request is made to the Secretary of Defense by the President of the Senate, the Speaker of the House or their designated representatives. The ATSD(LA) will assign the responsibility for providing such support to a component of the DoD.
4. In those instances where Congressional committees or members thereof find it essential while abroad to request travel in aircraft allocated to the attaches or military missions, such trips may be authorized by the field commander concerned if (a) commercial facilities are not available, (b) use of the attache or mission aircraft will not interfere in any way with its normally assigned mission, and, (c) the purpose of the trip is specifically indicated by the chairman of the committee or subcommittee or member as essential to the mission of the committee, subcommittee or member and as of primary interest to the DoD. A report of each trip flown in attache or mission aircraft will be made to the ATSD(LA) by the Military Department concerned. The report will indicate the names of passengers carried and the duration, destination, and purpose of the trip.

B. Sponsored nonreimbursable travel

1. All invitations for sponsored nonreimbursable travel shall

be extended by the Secretary of Defense, or by the Secretaries of the Military Departments within the limitations prescribed pursuant to paragraph 3 below.

2. All sponsored nonreimbursable travel for the purpose of orientation or familiarization with the programs and activities of the DoD shall, unless the Secretary of Defense otherwise directs, be multidepartmental travel insofar as newly elected members of Congress are concerned and, to the extent practicable, insofar as all other members and employees of Congress are concerned. Support for approved multidepartmental travel shall be provided by one or more of the Military Departments. Costs shall insofar as practicable be shared by the Military Departments in a manner reflecting their relative participation in each case. A member shall be considered newly elected until the expiration of the Congress in which he first takes his seat.
3. The Secretaries of the Military Departments are delegated the authority unilaterally to extend invitations for sponsored nonreimbursable nonmultidepartmental travel within the 50 United States to members (other than newly elected) and employees of the Congress, subject to such limitations necessary to carry out the policies stated in this Directive as the Secretary of Defense may from time to time prescribe. The authority delegated by this paragraph to the Secretaries of the Military Departments may not be redelegated.
4. Any recommendations which a Military Department may wish to make with respect to sponsored nonreimbursable travel outside of the limitations prescribed pursuant to paragraph 3, above, shall be submitted in writing to the Secretary of Defense over the signature of the Secretary of the Military Department and shall contain the names and titles of individuals proposed to participate, the purpose of the travel, the proposed itinerary and the estimated cost. In the case of recommendations for multidepartmental travel the recommendation should show prior coordination with the other Military Departments in order to insure participation satisfactory to each Department.

C. Nonreimbursable travel by members of the reserve

Members and employees of Congress who hold valid reserve status in the Army, Navy, Air Force or Marine Corps may utilize military carriers in accordance with existing policies of the respective Military Departments applicable to the reserve officer and enlisted personnel of those departments.

D. Reimbursable travel

Requests for travel with reimbursement by members and employees of the Congress may, subject to the provisions of applicable law and other restrictions thereon including those contained in subsection E., below, be granted when the travel is of official concern to the Congress and the request is made to the OSD or a Military Department and shows the appropriation, fund chargeable, or other clear indication of the method by which reimbursement is to be made.

E. Nonofficial passengers

1. Department of Defense policy prohibiting accompanying travel of dependents of DoD personnel on military carriers is equally applicable to travel of dependents of members and employees of the Congress. Exceptions to this policy may be made in the case of dependents of members and employees of the Congress (a) by the Secretary of a Military Department in the case of travel authorized under paragraph V.B.3., above, and (b) by the Secretary of Defense in all other cases, to permit dependents to accompany their principals with or without reimbursement on either sponsored or nonsponsored travel when essential to the proper accomplishment of the mission, desirable because of diplomatic or public relations, or necessary for the health of the individuals concerned. Reimbursement, when appropriate, will be made at the same rate applicable to the principal.
2. The Secretary of a Military Department in the case of travel authorized under paragraph V.B.3., above, and the Secretary of Defense in all other cases may authorize

medical personnel to accompany a member of Congress with or without reimbursement on either sponsored or nonsponsored travel where necessary for the health of the member.

F. Commercial transportation

All travel to which this Directive is applicable shall be conducted in such a manner as not to compete with United States commercial sea, air, or land transportation when that transportation exists, is adequate, and its use is not inconsistent with the primary purpose of the travel.

VI. RESPONSIBILITY

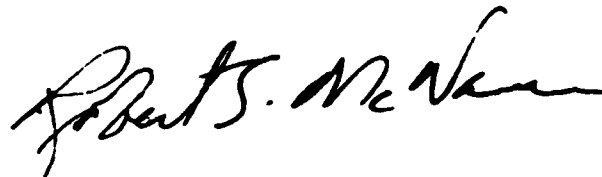
The Assistant to the Secretary of Defense (Legislative Affairs) shall exercise surveillance over the support by the DoD of travel by members and employees of the Congress and their dependents in order to assure compliance with the policies and procedures prescribed in this Directive: Each DoD component shall submit reports with respect to support for travel of members and employees of the Congress, and the cost thereof, to the ATSD (LA) in such form and manner as he may from time to time prescribe.

VII. IMPLEMENTATION AND EFFECTIVE DATE

A. Within thirty days after the effective date of this Directive each Military Department shall forward to the Assistant to the Secretary of Defense (Legislative Affairs) for information two copies of the regulations, procedures, or instructions or other form of transmittal to implement this Directive. If existing departmental regulations are consistent with this Directive, two copies of such effective regulations shall be forwarded to the Assistant to the Secretary of Defense (Legislative Affairs). Two copies of any subsequent clarifications, additions, deletions, or

modifications to such regulations implementing this Directive shall be submitted to the Assistant to the Secretary of Defense (Legislative Affairs) prior to implementation.

- B. This Directive shall become effective ten days after date of issuance.

A handwritten signature in cursive script, reading "Robert S. McNamara".

Secretary of Defense