

## SUBCHAPTER D—TRANSPORTATION

## PART 51—DETERMINATIONS

AUTHORITY: 31 U.S.C. 711. Interpret or apply 31 U.S.C. 3511 and 3512.

**§ 51.1 Scope of part.**

This part contains basic determinations by the Comptroller General as to the extent he deems it necessary to continue or discontinue to exercise the authority to prescribe forms and uniform procedures provided in 31 U.S.C. 3511.

[40 FR 47511, Oct. 9, 1975, as amended at 47 FR 56989, Dec. 22, 1982]

**§ 51.2 Standard forms and procedures.**

In connection with the audit of payments for transportation services furnished for the account of the United States and the adjustment of claims pertaining thereto, the Administrator, General Services Administration, may prescribe standard forms and procedures without consultation with the General Accounting Office, except that the prescription thereof is subject to the uniform standards and procedures necessary to permit performance of the discretionary function vested by statute in the Comptroller General and other uniform fiscal requirements deemed necessary, as prescribed in 4 CFR part 52.

[47 FR 50843, Nov. 10, 1982]

## PART 52—UNIFORM STANDARDS AND PROCEDURES FOR TRANSPORTATION TRANSACTIONS

AUTHORITY: 31 U.S.C. 711. Interpret or apply 31 U.S.C. 3511, 3512, 3513, 3526 and 3529; sec. 901(a), 49 Stat. 2015, 46 U.S.C. 1241(a); sec. 5, 88 Stat. 2104, 49 U.S.C. 1517.

**§ 52.1 Scope of part.**

This part contains uniform standards and procedures relating to discretionary functions vested by statute in the Comptroller General and to matters requiring uniformity of fiscal practices relating to transportation

transactions entered into for the account of the U.S. Government.

[40 FR 47512, Oct. 9, 1975]

**§ 52.2 Use of American flag vessels and certificated air carriers.**

(a) *Transportation of passengers.* Section 901 of the Merchant Marine Act of 1936, 46 U.S.C. 1241, requires the use of American flag vessels for travel on official business; and section 5 of the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. 1517, requires the use of air carriers certificated under section 401 of the Federal Aviation Act of 1958 (American flag) for Government-financed passenger transportation (including but not limited to Government dependents, consultants, grantees, contractors and subcontractors), when such carriers are available. Compliance with section 901 and section 5 is required whether the transportation expenses are paid by the United States or reimbursed to the traveler.

(b) *Transportation of personal effects and freight.* Section 901 of the Merchant Marine Act of 1936, 46 U.S.C. 1241, requires the use of American flag vessels by officers and employees of the United States for the transportation of their personal effects, when such vessels are available, and section 5 of the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. 1517, requires the use of air carriers certificated under section 401 of the Federal Aviation Act of 1958 (American flag) for any Government-financed movement of freight by air when such air carriers are available.

(c) *Disallowance of expenditures.* The Comptroller General will disallow any expenditures for commercial non-American-flag air or foreign-flag ocean passenger transportation, or for foreign-flag ocean transportation of personal effects or non-American-flag air transportation of freight, unless there is attached to the payment voucher a certificate or memorandum adequately explaining why American-flag service was unavailable signed by the traveler or other responsible official of the

agency authorizing the travel or transportation who has knowledge of the facts concerning such usage.

(d) *Required documentation.* Each voucher for reimbursement of expenses for travel in whole or in part via a non-American-flag air or foreign flag ocean carrier, and each bill for payment of transportation services furnished in whole or in part by a non-American-flag air or foreign flag ocean carrier will be supported by the following documentation:

(1) *Required certificate.* The certificate or memorandum required under this part should be substantially as follows:

I certify that it (is) (was) necessary for \_\_\_\_\_ (name of traveler or agency) to use \_\_\_\_\_ (foreign-flag vessel(s)) \_\_\_\_\_ or noncertificated<sup>1</sup> air carrier(s) \_\_\_\_\_ flight identification No(s), or to transport (personal effects) (freight) between \_\_\_\_\_ and \_\_\_\_\_ en route from \_\_\_\_\_ to \_\_\_\_\_ on \_\_\_\_\_ (date) for the following reasons:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Date \_\_\_\_\_  
 Signature of traveler or authorizing officer \_\_\_\_\_  
 Title or position \_\_\_\_\_  
 Organization \_\_\_\_\_

(2) *Documentation for passenger and freight transportation by American-flag direct air carriers.* All bills submitted by American-flag direct air carriers for payment for commercial foreign air passenger or freight transportation must contain either: (i) A certification by the carrier that no non-American-flag air carriers were used in the carriage of the passenger or freight or (ii) copies of documents required to be retained by the carrier under 14 CFR part 249 that would indicate which portion of the through movement was performed by American-flag and non-American-flag air carriers, together with the certificate required in paragraph (d)(1) of this section covering such usage.

(3) *Documentation by indirect air carriers.* All bills submitted by indirect air carriers as defined in 14 CFR 296.1 and

297.1 for the payment of transportation charges for the movement of freight by air must be supported by a copy of the air waybill and manifest required to be executed by 14 CFR 296.70 and 297.51.

(e) *Responsibility of carrier to secure certificate.* The certificate or memorandum required under paragraph (d)(1) of this section must be obtained by the ocean or air carrier or freight forwarder and submitted as support in billing charges for transportation services.

(f) *Responsibility of accountable officers.* Certifying officers and military disbursing officers have the responsibility in the first instance of determining the accuracy and acceptability of the certification or memorandum and other documentation required in paragraph (d) of this section which must be attached to bills involving transportation by non-American-flag air carriers and foreign-flag vessels prior to the certification of such bills. When there is doubt as to the acceptability of the certification, accountable officers or the head of the agency involved may request an advance decision by addressing a submission to the Comptroller General of the United States, U.S. General Accounting Office, Washington, DC 20548.

(g) *Responsibility of General Services Administration.* In auditing vouchers for payment of transportation charges to carriers and forwarders, the General Services Administration will ascertain that payments involving the use of a non-American-flag vessel or air carrier are supported by the required certificate or memorandum and documentation required in paragraph (d) of this section justifying such use. When there is doubt as to the accuracy or acceptability of any justification, the matter will be referred to the Comptroller General for decision.

[40 FR 47512, Oct. 9, 1975, as amended at 47 FR 56980, Dec. 22, 1982]

**PART 53—REVIEW OF GENERAL SERVICES ADMINISTRATION TRANSPORTATION SETTLEMENT ACTIONS**

<sup>1</sup>Section 401 of Federal Aviation Act of 1958 (49 U.S.C. 1501).

Sec. 53.1 Definitions.