

**EXECUTIVE SECRETARIAT**  
**ROUTING SLIP**

TO:		ACTION	INFO	DATE	INITIAL
1	DCI				
2	DDCI				
3	EXDIR		X		
4	D/ICS				
5	DDI				
6	DDA		X		
7	DDO				
8	DDS&T				
9	Chm/NIC				
10	GC		X		
11	IG				
12	Compt				
13	D/Pers				
14	D/OLL				
15	D/PAO	X			
16	SA/IA				
17	AO/DCI				
18	C/IPD/OIS				
19					
20	<i>ER</i>				
21	<i>ER</i>				
22					

SUSPENSE

10 Jan 85

Remarks

For direct response please, info to DCI, DDCI and EXDIR.

Executive Secretary

4 Jan 85

Date

MA  
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## United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, D.C. 20510

January 2, 1985

Mr. William J. Casey, Director  
 Central Intelligence Agency  
 Washington, D. C. 20505

Dear Mr. Casey:

Title 31, Section 638a of the U.S. Code states that government vehicles may only be used for 'official purposes' and 'official purposes' does not include home-to-work transportation for federal employees. That legislation provides a series of very specific exemptions: the President, Secretaries of cabinet Departments (but not Under Secretaries, Assistant Secretaries, heads of agencies or boards), individuals on field service great distances from their offices, diplomatic personnel abroad and physicians on out-patient duty.

As you know, there has been a great deal of confusion regarding the applicability of the statute and its penalties. But that confusion has been definitively resolved by the Comptroller General of the General Accounting Office in an opinion released on June 3, 1983 (B-210555). In that opinion and subsequent responses to agencies, such as the GAO's February 7, 1984 letter to the Office of Personnel Management (B-210555.3), the GAO has made the following points:

- \* The prohibition on home-to-work for officials not specifically exempted by law is absolute. It is not acceptable to argue that the transportation was provided on an occasional, non-routine basis. There may be no exemptions.
- \* Transportation from the office to official functions may be provided to non-exempt officials. But that transportation may not involve a stop at the home for agency officials or their spouse.
- \* When the 99th Congress begins, all agency personnel would be liable for financial recovery by the Government, and additional penalties outlined in Title 31, Section 638a, for improper use of government vehicles.

In light of these rulings, I would appreciate a response as soon as possible to the following questions:

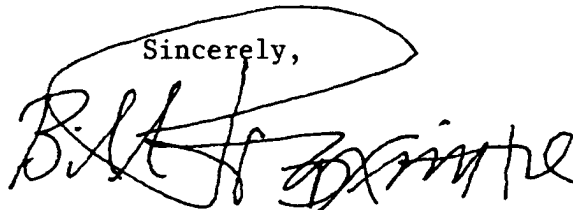
- 1) Will your agency be in full compliance with the Comptroller General's rulings by the commencement of the 99th Congress?

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- 2) What steps have you taken to assure that all agency officials have been adequately informed of their legal liability under Title 31, Section 638a? Please enclose copies of relevant memoranda and, if no action has been taken, please outline the reasons.
- 3) As of January 3rd, which officials, if any, will be eligible to receive home-to-work transportation on an occasional or routine basis?
- 4) If those do not conform to Comptroller General opinions, explain the authority under which this service will be provided.
- 5) Has your agency sought exemptions from the Comptroller General's opinions?

I look forward to hearing from you promptly. It is my intention to make the replies a part of the public record.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Proxmire", written over a large, hand-drawn oval scribble.

William Proxmire, U.S.S.

WP:lpc