

**INFORMATION PAPER**  
**ON**  
**REQUESTS FOR TRANSPORTATION SUPPORT USING**  
**THE ECONOMY ACT**

**BACKGROUND:**

The Department of Defense (DoD) receives many transportation requests for worthwhile projects. The DoD, however, is prohibited by law from providing airlift to non-DoD activities unless it is: (1) of an immediate emergency/lifesaving nature, (2) in direct support of the DoD mission, (3) specifically authorized by statute, or (4) requested by the head of an executive agency of the federal government pursuant to the Economy Act (31 U.S.C. 1535 and 1536).

**ECONOMY ACT REQUEST PROCEDURES:**

**Address.** Executive agencies of the Federal Government should send requests to the Office of the Assistant Deputy Under Secretary of Defense for Transportation Policy, 3500 Defense Pentagon, Washington, DC 20301-3500.

**Content.** Requests must contain all the pertinent details of the requested support. This might include such things as travel times, names, titles, positions, and SSANs of travelers, number of pieces, weight and cube of any cargo, special requirements for cargo or passenger (e.g., hazardous cargo, handicapped passengers, prisoners), etc. In addition, the requester must certify that: (1) the support requested is in the national interest; (2) commercial transportation is not available or is otherwise not satisfactory (explain why); and, (3) the DoD will be reimbursed for the service performed. An Economy Act request for transportation must include a fund cite or the name and address of the person responsible for payment.

- **National Interest, Level of Certification.** Requests must be signed at appropriate levels. Only officials at the highest levels, with a clear view of how their agencies' missions interact with other agencies' missions, and how together they support national objectives, can determine if a project is in the national interest. They must also have the authority to commit agency funds. These officials are, for example, at least at the assistant secretary level, or the administrators or deputy administrators of separate agencies such as NOAA, FAA, or NASA.
- **Unavailability of Commercial Transportation.** It is both national policy (OMB Circulars A-76 and A-126, and NSDD 280) and DoD policy (DoDD 4500.9) to use commercial transportation to the fullest extent. Government agencies may not compete with commercial interests. Therefore, requesters must certify that

commercial transportation capable of meeting their mission requirements is not available.

- **Official Use Only.** DoD aircraft and vehicles may only be used for official purposes (31 U.S.C. 1344). Therefore, the determination of national interest and non availability of adequate commercial transportation is crucial.
- **Reimbursement.** Reimbursement is required by several laws. Title 31 U.S.C. Section 1301 says funds may be used only for the purpose for which they were appropriated, so DoD may not expend funds to support another organization's mission. If the transportation is provided by common user (Air Mobility Command - AMC) aircraft, it is funded by a working capital fund and, by law, must be reimbursed by the user (10 U.S.C. 2208). Finally, the Economy Act itself requires reimbursement. An Economy Act request for transportation must include a fund cite or the name and address of the person responsible for payment.

**Nongovernment Organizations.** Occasionally a nongovernment organization will request DoD transportation support. They may be supported pursuant to the Economy Act if the requested transportation is in direct support of the mission of another federal executive agency. The formal request must come to the DOD from the federal executive agency, and not from the nongovernmental organization. Pursuant to the Economy Act, reimbursement must be made to the DoD by the other federal executive agency, who may, in turn, require reimbursement from the nongovernmental agency pursuant to the User's Act (31 U.S.C. 9701). Other criteria still apply, i.e., it must be in the national interest and commercial transportation must not be available.

**In Summary.** Requests to use DoD resources to transport non-DoD goods and personnel must be sponsored by a federal government executive agency. Requests must be signed by responsible senior officials of the requesting agency to certify that movement is in the national interest, that commercial transportation is not adequate, and that reimbursement will be provided.