

OST

Report AV2024012 December 18, 2023

OST Complied With Federal Regulations, Policies, and Procedures Regarding Executive Travel on DOT Aircraft, but FAA Needs To Enhance Controls for Updating Flight Hour Rates

Highlights

OST Complied With Federal Regulations, Policies, and Procedures Regarding Executive Travel on DOT Aircraft, but FAA Needs To Enhance Controls for Updating Flight Hour Rates

Requested by Senator Marco Rubio; the Chairmen of the House Committee on Transportation and Infrastructure and its Aviation Subcommittee; the Ranking Member of the Senate Committee on Commerce, Science, and Transportation; and the Chairman of the House Committee on Oversight and Accountability

Office of the Secretary of Transportation | AV2024012 | December 18, 2023

What We Looked At

The U.S. Department of Transportation (DOT) has a fleet of 38 aircraft that are operated and maintained by the Federal Aviation Administration's (FAA) Flight Program Operations within the Air Traffic Organization. FAA uses these aircraft for a variety of missions, including critical event response and transportation for DOT executives, such as the Secretary of Transportation, and other Government agency officials. The Office of Management and Budget's guidance to Executive Department heads allows Federal officials to travel on Government aircraft but with restrictions. Several Members of Congress requested we review DOT executives' use of Government aircraft. Our objective was to determine whether the Office of the Secretary (OST) complied with Federal regulations, policies, and procedures regarding executive travel on DOT aircraft.

What We Found

OST complied with Federal regulations, policies, and procedures for the Secretaries' travel on DOT aircraft from January 2017 to June 2023. Records for each of the 15 trips contained the required authorizations, justifications, and approvals for use of the DOT aircraft, including documentation such as trip memos and cost comparisons, as appropriate. However, in evaluating OST's cost comparisons, we determined that FAA did not consistently update the DOT aircraft flight hour cost rates OST uses to determine the cost effectiveness of Secretarial transportation. As a result, FAA's flight hour rates may not have reflected the most current operating costs. We also identified three instances in which FAA did not use the correct flight hour rate for its cost estimates. While the incorrect cost estimates did not negatively impact cost effectiveness in these instances, this control weakness could result in incorrect cost comparisons.

Our Recommendations

DOT concurred with our two recommendations to improve FAA's aircraft rate update process and provided documentation of FAA's actions taken in response. We consider both recommendations resolved but open pending OIG review of FAA's documentation.

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Memorandum

Date: December 18, 2023

Subject: ACTION: OST Complied With Federal Regulations, Policies, and Procedures

Regarding Executive Travel on DOT Aircraft, but FAA Needs To Enhance Controls

for Updating Flight Hour Rates | Report No. AV2024012

From: Nelda Z. Smith

Assistant Inspector General for Aviation Audits

To: Deputy Secretary of Transportation

Federal Aviation Administrator

The U.S. Department of Transportation (DOT) has a fleet of 38¹ aircraft that are operated and maintained by the Federal Aviation Administration's (FAA) Flight Program Operations within the Air Traffic Organization. FAA uses these aircraft for a variety of missions: aviation safety training; flight inspection; research, development, test, and evaluation support; critical event response; and transportation for DOT executives, including the Secretary of Transportation, and other Government agency officials. The Office of Management and Budget's (OMB) guidance² to Executive Department heads allows Federal officials to travel on Government aircraft but with restrictions. The guidance states that, to minimize cost and improve the management and use of Government aviation resources, Government aircraft shall be used only for official travel or on a space available basis, subject to certain policies, authorizations, and approvals. This applies to all Government-owned, leased, chartered, and rental aircraft and related services operated by Executive Agencies.

Senator Marco Rubio; the Chairmen of the House Committee on Transportation and Infrastructure and its Aviation Subcommittee; the Ranking Member of the Senate Committee on Commerce, Science, and Transportation; and the Chairman of the House Committee on Oversight and Accountability requested we review

¹ According to FAA, this is the total fleet size as of October 2023.

² OMB Circular No. A-126, *Improving the Management and Use of Government Aircraft*, May 22, 1992.

DOT executives' use of Government aircraft.³ Specifically, the members of Congress asked that we determine the number, purpose, and cost of the Secretary's trips using Government aircraft, including military aircraft; adherence to Federal travel regulations and DOT travel policies, including appropriate authorizations, cost estimates, justifications, and approvals for the Secretary and any other passengers; reimbursement mechanisms; any DOT personnel concerns; and DOT oversight of executive travel. Accordingly, our audit objective was to determine whether the Office of the Secretary (OST) complied with Federal regulations, policies, and procedures regarding executive travel on DOT aircraft.

We conducted this audit in accordance with generally accepted Government auditing standards. Exhibit A details our scope and methodology. Exhibit B lists the organizations we visited or contacted, and exhibit D lists the acronyms used in this report.

We appreciate the courtesies and cooperation of Department of Transportation representatives during this audit. If you have any questions concerning this report, please contact me or Robin Koch, Program Director.

cc: The Secretary
DOT Audit Liaison, M-1
FAA Audit Liaison, AAE-100

³ On December 16, 2022, Senator Marco Rubio requested this audit. On August 25, 2023, Chairmen Sam Graves and Garret Graves of the House Committee on Transportation and Infrastructure and its Aviation Subcommittee, respectively, joined the request. On September 22, 2023, and November 6, 2023, respectively, Ranking Member Ted Cruz of the Senate Committee on Commerce, Science, and Transportation and Chairman James Comer of the House Committee on Oversight and Accountability made additional requests for us to review executive travel.

Results in Brief

OST complied with Federal regulations, policies, and procedures for the Secretaries' travel on DOT aircraft; however, FAA did not consistently update flight hour rates.

From January 2017 to June 2023, Secretaries Chao and Buttigleg traveled on the DOT aircraft for 15 trips to represent the Department at events and promote DOT initiatives. Each trip's records contained required authorizations, justifications, and approvals for the Secretaries' travel, as well as cost estimates when applicable. In accordance with DOT policy, 4 prior to each trip, the Immediate Office of the Secretary (OST front office) obtained approval for DOT aircraft use from DOT's Office of the General Counsel (OGC) via a travel memorandum ("memo"), which included the trip purpose, itinerary, and required justification. For example, cost effectiveness, as measured by a comparison of the cost of using a Government aircraft with the cost of using commercial aircraft, is one of the permitted justifications for the use of DOT aircraft. Each trip also had the necessary FAA flight records, including the date, passengers, and destinations. In addition, we found the Department generally adhered to other Federal policies and processes related to travel booking, reimbursements, and oversight. Although we identified instances where OST did not submit or approve travel paperwork within required timeframes, those instances did not constitute a noncompliance with the required policies and procedures specific to the use of DOT aircraft for official travel.

However, FAA did not consistently update the aircraft flight hour rates OST uses to determine the cost effectiveness of Secretarial travel. FAA provides information on the estimated cost of using DOT aircraft for OST cost comparisons based on an hourly rate for each aircraft type. While FAA representatives told us they perform annual reviews of the flight hour rates and source data, FAA did not provide documentation for fiscal years 2017 and 2018 demonstrating the Agency calculated flight hour rates annually as OMB requires.⁵ Also, for those years, FAA was using rates published in fiscal year 2014. Further, FAA also had not implemented revised rates since fiscal year 2021, despite leasing a new aircraft type in 2022. Although the Agency had a 2013 policy governing the application of flight hour rates, it did not include a threshold that would trigger an update of the rates or designate a person responsible for making that determination. As a result, FAA's flight hour rates may not have reflected the most current aircraft operating costs. In addition, we identified three instances in which FAA did not use the correct flight hour rate for its aircraft cost estimates. While these

⁴ DOT Order 1500.6B, DOT Travel Order and Manual, March 29, 2018.

⁵ OMB Circular No. A-126.

instances did not negatively impact the cost effectiveness determinations, this control weakness could result in incorrect cost comparisons.

OST officials complied with Federal regulations, policies, and procedures regarding the use of DOT aircraft for Secretarial travel from January 2017 through June 2023. Therefore, we are not making recommendations to OST in this report. However, we are making recommendations to FAA to improve its policies and processes for updating flight hour rates for DOT aircraft.

Background

Federal regulations and guidance⁶ permit Federal agencies to operate and use Government aircraft for official purposes:

- Mission Requirement Travel—Mission requirements include activities that
 constitute the discharge of an agency's official responsibilities. Per OMB,
 examples include the transport of troops and/or equipment, training, and
 evacuation. Travel to give speeches, attend conferences or meetings, or to
 make routine site visits do not qualify as mission requirements but may
 still be considered official agency business as described below.
- Required Use Travel—Use of a Government aircraft when it is necessary due to:
 - Communications or Security Needs—Transportation because of bona fide departmental communications (e.g., 24-hour secure communications) or security needs (e.g., highly unusual circumstances that present a clear and present danger).
 - Exceptional Scheduling Requirements—National emergencies, or other compelling operational considerations.
- Other Travel for the Conduct of Agency Business—Official travel for reasons other than to meet mission requirements or required use can also be authorized when:
 - Scheduling—No commercial airline or aircraft (including charter) service is reasonably available to effectively fulfill agency requirements (i.e., no commercial service can meet the traveler's departure and/or arrival requirements within a 24-hour period).

⁶ The Federal Travel Regulation (FTR), 41 Code of Federal Regulations (C.F.R.) §§ 300, 301-10.260 – 301-10.265; OMB Circular No. A-126.

Cost Effectiveness—It is determined that the cost of using a
 Government aircraft is not more than the cost of using commercial
 airline or aircraft service, including charter service.

In accordance with DOT's travel manual, DOT's senior legal official authorizes travel on Government aircraft by DOT employees, including the Secretary, on a case-by-case basis. As part of this authorization process (see figure 1), the OST front office prepares a travel memo outlining the date, locations, and purpose of a trip, as well as the reasons for requesting use of Government aircraft, and provides it to OGC. If cost effectiveness is the primary justification for using Government aircraft, OMB and DOT guidance require OST to conduct a comparison between the costs of using the DOT aircraft and commercial airline service. To do so, OST uses an FAA-generated aircraft cost estimate to prepare a cost comparison using DOT aircraft. OST then provides this cost comparison to OGC with the travel memo. OST does not have to provide a cost comparison if the proposed travel on DOT aircraft is determined to be required use. According to OGC officials, after reviewing the trip details provided by OST, OGC signs the travel memo and retains a reference copy of the documents for 6 years consistent with Federal document retention requirements.

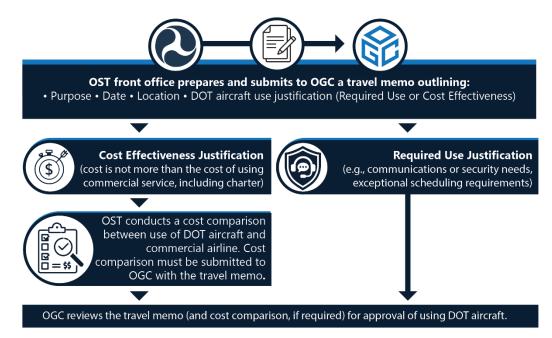
⁷ DOT Order 1500.6B.

⁸ During the period of our review, the career OST Deputy General Counsel (or designee) has been responsible for approving DOT aircraft use for the Secretary. The career Deputy General Counsel is also the Designated Agency Ethics Official.

⁹ OMB Circular No. A-126; DOT Order 6050.1B, *Management and Use of Department of Transportation Aircraft*, January 15, 1993.

¹⁰ National Archives and Records Administration, General Records Schedule 2.8: Employee Ethics Records, 2016.

Figure 1. OST's Authorization Process for DOT Aircraft Use



Source: OIG analysis of OST data

OST has political appointees responsible for scheduling all the Secretary's travel, including travel on DOT aircraft. Designated staff can prepare authorizations and vouchers for the Secretary in DOT's travel records management system—E2 Solutions (E2).¹¹

Department representatives told us that it is typical for selected members of the OST front office staff and security detail to travel with the Secretary. Other OST staff, such as Public Affairs personnel, and executives from DOT Operating Administrations¹² can also accompany the Secretary. According to DOT guidance, ¹³ once required use transportation is determined to be necessary for a DOT official, then use of the DOT aircraft is also appropriate for staff members accompanying that official.

FAA's Flight Program Operations office operates and manages the DOT aircraft used to conduct several mission types: aviation safety training; flight inspection; research, development, test, and evaluation support; critical event response, and executive transportation. This office is responsible for implementing standardized

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¹¹ E2 is the online travel records management system used by all DOT employees. This system maintains authorization and voucher documentation for official employee travel.

¹² For the timeframe of our review between January 2017 and June 2023, there were not any trips in which a DOT official used the DOT aircraft for executive transportation without the Secretary, other than FAA. There were only four trips where DOT officials from Operating Administrations other than FAA traveled with the Secretary.

¹³ DOT Order 6050.1B.

flight control procedures and scheduling all flights conducted in the aircraft available for the use of Government officials. This office also coordinates with OST on logistics and provides information to support cost estimates for travel by DOT executives, including the Secretary. Between 2017 and 2023, this office used four different aircraft (see figure 2) for the Secretaries' official trips out of the total DOT aircraft fleet. ¹⁴ During fiscal years 2017–2022, transportation mission flights accounted for less than 1 percent of total flight hours conducted across the fleet.

RETIRED AIRCRAFT PREVIOUS N1 N3 N2 **CURRENT N1** N1: Gulfstream N2: Cessna N3: Cessna N1: Cessna Citation Sovereign 680 G-IV Citation 560XL Citation 560XL In Service: In Service: In Service: In Service: January 2022 - Present Until December 2019 Until October 2022 Until April 2022 Max Passengers: 9 Max Passengers: 8 Max Passengers: 8 Max Passengers: 16

Figure 2. DOT Aircraft Used for Official Transportation (2017–Current)

Source: OIG and FAA

Another office within DOT manages and oversees official travel policy, including E2. In addition, a separate group of staff within FAA's Enterprise Services Center (ESC)¹⁵ are responsible for performing post-trip voucher audits on travel records. While also part of FAA, this group is separate from the Flight Program Operations office and independent of the OST front office.

In addition, Government agencies can request to use military aircraft for executive transportation, subject to approval by the Department of Defense (DoD) Executive Secretary, or the White House can invite a senior agency official to use military aircraft for travel in support of White House missions. Use of military aircraft at a Government agency's request potentially requires repayment to DoD through established reimbursable agreements. During the timeframe of

¹⁴ The number of aircraft in the fleet fluctuated from 47 in fiscal year 2017 to 38 at the start of fiscal year 2024.

¹⁵ FAA's ESC provides Government information and digital services, as well as financial management and travel services to a range of Federal agencies. Within ESC, employees in the Travel Services Branch, e-Travel Section, provide system administration and services including establishing and updating users, training, and travel voucher audits.

our review, the Secretaries used military aircraft for three trips (see exhibit C). According to OST officials and OIG analysis, all three trips were at the invitation of the White House, rather than at the request of DOT, and therefore DOT did not reimburse DoD for these trips. Additionally, DOT does not have a reimbursable agreement with DoD because, according to OST, DOT does not request to use military aircraft.

OST Complied With Federal Regulations, Policies, and Procedures Regarding the Secretaries' Official Travel on DOT Aircraft, but FAA Needs To Enhance Controls for Updating Flight Hour Rates

We found OST complied with Federal regulations, policies, and procedures regarding official travel by the Secretaries on DOT aircraft from January 2017 to June 2023. In addition, we found the Department generally adhered to other Federal policies and processes related to travel booking, reimbursements, and oversight for official trips on DOT aircraft. Although we identified instances where OST did not submit or approve travel paperwork within required timeframes, these instances did not constitute a noncompliance with the required policies and procedures for using DOT aircraft for official travel. However, in evaluating OST's cost comparisons, we determined that FAA did not consistently update flight hour rates for DOT aircraft used for Secretarial transportation annually as required.

OST's Use of DOT Aircraft Adhered to Federal Regulations and Policies

Secretary Buttigieg and Secretary Chao took a combined 15 trips on DOT aircraft, which comprised 38 legs, ¹⁶ and represented 9 percent of their overall air travel (165 trips total) in the timeframe of our review (see table 1).

¹⁶ A leg is a segment of a flight involving a stopover, change of aircraft, or change of airline. Secretary Buttigieg had 22 total legs on DOT aircraft; Secretary Chao had 16 legs.

Table 1. Summary of Air Travel by the Secretaries (January 31, 2017–June 30, 2023)

	Timeframe	DOT Aircraft Trips	Commercial Aircraft Trips	Other Trips*	Total Trips
Secretary Buttigieg	February 3, 2021– June 30, 2023	8 (11.6%)	57 (82.6%)	4 (5.8%)	69
Secretary Chao	January 31, 2017– January 11, 2021	7 (7.3%)	86 (89.6%)	3 (3.1%)	96
TOTAL		15 (9.1%)	143 (86.7%)	7 (4.2%)	165

*Other trips include flights on military aircraft, Air Force One, or Air Force Two.

Source: OIG analysis of OST data

According to our analyses, OST adhered to Federal travel regulations and DOT travel policies for the 15 trips taken by the Secretaries on DOT aircraft. Each trip contained required travel authorizations, estimates, justifications, and approvals for the Secretaries' travel. Specifically, we determined that prior to each trip, OGC reviewed and approved all 15 OST memos requesting use of the DOT aircraft for official travel. These OGC approvals indicated OGC deemed all OST justifications as presented in these instances to be appropriate and for official Government business. Each trip record also had the required FAA flight documents, which demonstrated that FAA authorized the flight and verified the passengers who boarded each flight. See table 2 for the dates, locations, purposes, and justifications of the 15 trips taken on DOT aircraft.

Table 2. Secretaries' Trips Using DOT Aircraft

Secretary	Trip Date	Trip Location	Trip Purpose	Trip Justification
Buttigieg	August 11– 12, 2021	Dallas, TX; Las Vegas, NV	Observe airport improvements; promote multi-modal grant	Cost Effectiveness
Buttigieg	April 7–8, 2022	New York, NY	Promote Infrastructure Investment and Jobs Act (IIJA)-funded projects at a media event and meeting with a national nonprofit organization	Exceptional Scheduling
Buttigieg	April 19, 2022	Coloma, WI	Deliver remarks at engineering training event; promote IIJA projects	Cost Effectiveness
Buttigieg	June 30– July 1, 2022	Birmingham, AL; New Orleans, LA	Announce IIJA project; speak on economic forum panel	Cost Effectiveness
Buttigieg	August 11– 12, 2022	Phoenix, AZ	Announce DOT infrastructure grants and visit recipients	Exceptional Scheduling; Communications or Security Needs
Buttigieg	August 23– 26, 2022	6 locations (FL, OK, NV, MN, OH, NH)	Visit DOT infrastructure grant recipients	Exceptional Scheduling
Buttigieg	September 27–29, 2022	Montreal, Canada	Attend 41st International Civil Aviation Organization Assembly	Communications or Security Needs
Buttigieg	June 7, 2023	Mexico City, Mexico	Meet with the President of Mexico about air transportation agreements	Exceptional Scheduling; Communications or Security Needs
Chao	March 2–3, 2017	Beaumont, TX	Visit Maritime Administration site; deliver keynote at ship naming ceremony	Exceptional Scheduling
Chao	March 30– 31, 2017	Ottawa, Canada	Visit Canadian Civil Air Navigation Service with Members of Congress	Communications or Security Needs
Chao	April 24, 2017	Columbus, OH	Visit Transportation Research Center	Exceptional Scheduling
Chao	June 5, 2017	Detroit, MI	Deliver remarks at vehicle safety conference; visit vehicle testing facility	Exceptional Scheduling
Chao	June 8, 2017	New York, NY	Deliver keynote address at shipping industry awards dinner	Exceptional Scheduling
Chao	June 18–23, 2017	Paris, France	Attend Paris air show	Communications or Security Needs
Chao	August 29, 2017	South Bend, IN	Attend ribbon cutting for toll road; meet with Senate delegation	Cost Effectiveness

Source: OIG analysis of OST and FAA data

According to our analysis of FAA records, the estimated ¹⁷ costs of using the DOT aircraft for these 15 trips ranged from \$1,741 to \$69,952 (see table 3).

Table 3. Estimated DOT Aircraft Use Cost

Trips by Secretary Buttigieg	Estimated Cost of Using DOT Aircraft
August 11–12, 2021	\$10,841
April 7–8, 2022	\$1,822
April 19, 2022	\$3,553
June 30–July 1, 2022	\$5,102
August 11–12, 2022	\$4,100
August 23–26, 2022	\$14,940
September 27–29, 2022	\$4,495
June 7, 2023	\$14,029

Trips by Secretary Chao	Estimated Cost of Using DOT Aircraft
March 2–3, 2017	\$6,189
March 30–31, 2017	\$10,376
April 24, 2017	\$3,578
June 5, 2017	\$3,094
June 8, 2017	\$1,741
June 18–23, 2017	\$69,952
August 29, 2017	\$3,578

Note: These figures represent only the estimated DOT aircraft use cost for the trip; there are additional travel costs, such as lodging and meals, not included in these estimates.

Source: OIG analysis of FAA data

According to travel memos, of the 15 trips, 11 trips were categorized as required use (i.e., for security needs or exceptional scheduling circumstances). For example, OST justified one trip as exceptional scheduling because the Secretary had to attend events in six cities over a 4-day span, including rural communities not easily accessible by commercial aircraft. For another trip, OST considered a last-minute schedule change to attend a White House meeting to qualify as exceptional scheduling requirements. Based on our review, OST typically cited security needs based on a recommendation from DOT's Protective Service Division. According to an OGC official, OGC generally accepts these recommendations. The travel memos for the remaining four trips cited cost effectiveness as the trip justification. See table 4 for a summary of trip justifications.

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¹⁷ Estimated costs for DOT aircraft use are OIG calculations based on reported flight times and FAA's aircraft flight hour rates in effect at the time. According to FAA, the actual cost data for individual trips is unavailable because internal DOT aircraft use costs are considered part of general operating expense of the Flight Program Operations office and not calculated separately for accounting purposes.

Table 4. Justifications of the Secretaries' Trips Using DOT Aircraft

	Reason for Using DOT Aircraft	Secretary Buttigieg (February 2021– June 2023)	Secretary Chao (January 2017– January 2021)	Total
	Exceptional Scheduling	2	4	6
Use —	Communications or Security Needs	1	2	3
	Exceptional Scheduling & Communications or Security Needs	2	0	2
	Cost Effectiveness	3*	1	4
	Total	8	7	15

^{*} In addition to these three trips, OST provided documentation showing two other trips were also cost-effective even though a cost comparison was not required.

Source: OIG analysis of OST data

The records for all four trips citing cost effectiveness as the only justification for use of the aircraft included cost comparisons, as required by Federal policy. The cost comparisons we reviewed included, as appropriate, estimated commercial travel-related expenses, such as airfare, baggage, ground transportation, per diem, and value of lost work time. The OMB criteria does not require OST to provide documentation to support commercial flight costs or availability information used in cost comparisons.

For the three Secretary Buttigieg trips citing cost-effectiveness only, OST determined the estimated cumulative cost savings for all travelers was \$10,678. For the one Secretary Chao trip only citing cost effectiveness, OST determined the estimated cost savings for all travelers was \$1,115 (see figure 3).

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¹⁸ As permitted by the OMB criteria, for one of the trips we reviewed, OST included the value of lost work time for all passengers in the cost comparison. In accordance with DOT Order 6050.1B, OST calculated the value of lost work time as the gross hourly cost for the traveler, including fringe benefits, multiplied by the number of hours lost using commercial aircraft. According to OST, lost work time was not included in subsequent cost comparisons to use a more conservative approach.

¹⁹ OMB Circular No. A-126.



Figure 3. OST's Estimated Cost Savings Per Trip Using DOT Aircraft

Note: These figures represent all estimated travel expenses for the trip, including airfare, lodging, meals, and other permitted expenses. In addition, commercial airfare expenses include travel services provider fees.

Source: OIG analysis of FAA and OST data

OST Generally Adhered to Other Federal Travel Policies and Requirements

We found that OST generally adhered to other Federal policies and processes related to travel booking, reimbursements, and oversight for the 15 trips using DOT aircraft. Although we identified instances where OST did not submit or approve travel paperwork within the required timeframes, these instances did not constitute a noncompliance with the required policies and procedures for using DOT aircraft for official travel.

Travel Policy, Approvals, and Paperwork Submission

We determined that current OST personnel received information and training regarding DOT travel policies, approval processes, and other requirements. For example, both Secretaries completed required travel credit card training, and the OST office in charge of travel policy provided travel arranger training to the two career staff responsible for arranging and approving the current Secretary's travel in E2. We also found that the OST front office and OGC followed the required executive travel approval processes for both Secretaries' trips using the DOT aircraft, and that OST career staff perform executive travel booking and records reviews in accordance with guidance. For example, as is the policy for all DOT employees, the Secretaries or their designees completed and/or submitted a travel authorization and voucher in E2 for each official trip, if expenses were incurred, and included any required documentation and receipts. OST career staff

then reviewed these travel documents and granted authorization and voucher approvals within the E2 system in accordance with guidance.

However, in some instances the Secretaries or their designees did not complete or submit general travel paperwork within timeframes established by policy.

- For 8 trips (67 percent of the 12 trips with vouchers), the Secretaries²⁰ or their designees did not submit post-trip electronic vouchers to obtain traveler expense reimbursement for review and approval in E2 within 5 business days of the trip's conclusion, as required by Federal regulations.²¹ The Secretaries submitted these vouchers between 6 and 29 business days after the trip's conclusion, and these vouchers were on average 11 days late.
- For 1 trip (8 percent of the 12 trips with vouchers), OST did not approve the voucher²² within the timeframe specified in DOT policy,²³ which states that the travel approver must approve or return the voucher within 5 business days from receipt of the voucher.

Although these instances demonstrate delays regarding submission of travel paperwork, our conclusion is they do not constitute a noncompliance by OST with the required policies and procedures for using DOT aircraft for official travel.

According to current OST career staff with responsibility for travel management, they requested, and the OST front office implemented, an improvement to the Secretary's travel arrangement process in October 2022. Specifically, they requested that travel arrangers and approvers report directly to OST career staff. These OST career staff stated that this change to the organizational reporting structure strengthened the internal controls for this process and may help improve timeliness of travel document submission. There has only been one trip using DOT aircraft since implementing this procedure change, so it is too soon to conclude whether it has improved timeliness.

Trip Passenger Information

We did not find any instances within the scope of our review where a non-Federal official was onboard the DOT aircraft during the Secretaries' official travel. While there are regulations covering the inclusion of non-Federal passengers on approved trips using the DOT aircraft, there is no guidance specifying who or which OST staff or Federal personnel can accompany the Secretary. According to FAA aircraft flight manifests we reviewed, all passengers on the 15 trips were

²⁰ Of these eight vouchers, five were for Secretary Chao and three were for Secretary Buttigieg.

²¹ 41 C.F.R. § 301–52.7.

²² This voucher was for Secretary Buttigieg.

²³ DOT Order 1500.6B.

either DOT employees or other Federal officials, such as members of Congress, and the total number of passengers onboard each flight was within the capacity limit for that aircraft.

Traveler Reimbursement to the Government

The DOT Order covering management and use of the DOT aircraft²⁴ outlines the appropriate reimbursement mechanisms covering instances when a traveler might need to repay the Government after using the DOT aircraft. We found that OST staff are aware of these processes. For example, according to OMB and DOT²⁵ guidance, reimbursement is necessary for any portions of a trip spent on personal or political activities, or if a non-Federal passenger traveled on the DOT aircraft on a space-available basis. OGC did not determine the Secretaries needed to reimburse the Government for any of the trips using the DOT aircraft.

Employee Complaint Reporting Process

DOT employees are responsible for reporting known instances or concerns about suspected violations of law, including anything that could be considered fraud, waste, abuse, mismanagement, or irregular activities affecting DOT programs or activities. This includes any concerns about the official travel process as well as Federal officials' use of DOT aircraft. The available employee reporting processes and methods are outlined in DOT guidance related to OIG Investigative Responsibilities, ²⁶ and the primary avenue is the OIG Hotline. We determined that current FAA and OST staff are aware of the available reporting methods and the guidance. Further, according to OIG Complaint Center representatives, the OIG Hotline did not receive any whistleblower or other DOT personnel concerns reported regarding the Secretaries' use of DOT aircraft during the scope of our review.

FAA employees have two additional avenues for complaint reporting, separate from the OIG Hotline:

Office of Audit and Evaluation (AAE), an independent FAA staff office
that conducts investigations and evaluations into safety complaints;
reports of fraud, waste, and abuse; internal rules/policy violations; and
whistleblower protection.

²⁴ DOT Order 6050.1B.

²⁵ OMB Circular No. A-126; DOT Order 6050.1B.

²⁶ DOT Order 8000.8A, Office of Inspector General Investigative Responsibilities, November 20, 2020.

 Office of Investigations (AXI), an office within FAA's Office of Security and Hazardous Materials Safety that reviews employee complaints and conducts non-criminal investigations.²⁷

According to representatives from both FAA offices, these offices did not receive any complaints or reports related to official travel or use of the DOT plane for executive travel flights during the scope of our review.

Travel Oversight Process

We identified a number of oversight processes in place for executive travel on DOT trips. In addition to trip authorization and approval measures completed by OGC, OST, and FAA prior to the flight specifically on trips using DOT aircraft, FAA's ESC division can perform post-trip voucher audits on any record in the E2 system, including both commercial transportation and trips taken on DOT aircraft. These audits include a review of the documentation entered into E2 and overall compliance with the travel voucher process. Prior to January 2020, ESC staff performed voucher audits at the request of the OST Office of Financial Management, using selection criteria such as random sampling, expenses over \$2,500, and international travel. However, in early 2020, ESC implemented a process to perform audits on all travel vouchers for all non-career DOT staff. We found that vouchers for 8 (67 percent) of the 12 trips with vouchers in which the Secretaries²⁸ used the DOT aircraft received post-trip audits. Based on our analysis of the vouchers, ESC staff cleared all audited vouchers for payment.

FAA Did Not Consistently Update DOT Aircraft Flight Hour Rates

In evaluating OST's cost comparisons, we determined that FAA did not consistently update flight hour rates annually as required²⁹ for DOT aircraft used for Secretarial transportation. FAA's Flight Program Operations office provides OST with a travel quote based on an hourly rate specific to the aircraft type. According to FAA, OMB, and DOT guidance,³⁰ rates for DOT³¹ official use of these

²⁷ FAA Order 1600.38G, Office of Investigations (AXI) Duties and Investigative Responsibilities, June 21, 2021.

²⁸ Of these eight vouchers, two were for Secretary Chao prior to the 2020 policy change and six were for Secretary Buttigieg. ESC did not perform a voucher audit on the remaining two trips for Secretary Buttigieg because the trips were for less than 12 hours and did not incur any travel expenses, therefore no voucher was required.

²⁹ OMB Circular No. A-126.

³⁰ FAA Order 2500.36N, *Application of Flight Hour Rates*, November 18, 2013; OMB Circular No. A-126; DOT Order 6050.1B.

³¹ FAA also calculates an external rate for DOT aircraft use by agencies outside of the Department, in accordance with the Economy Act of 1932 (31 U.S. Code (U.S.C.) § 1535), to recover the costs of operating its aircraft for use by other agencies and governments. OMB Circular No. A-126 allows the Agency to use a full cost recovery rate that includes both variable and fixed costs for that aircraft, such as fixed costs for maintenance, crew, lease agreements, and depreciation.

aircraft will incorporate variable costs, such as the estimated costs of fuel, crew, and maintenance. FAA also uses a commercial software tool³² to estimate the number of flight hours based on OST's proposed itinerary and applies the rate per hour to generate the quote representing the total cost of the flight for the whole aircraft. When cost comparisons are required, OST converts this overall estimate to a per-passenger cost to compare the per-person cost with commercial flights.

Since 2017, FAA has applied three different sets of flight hour rates to the DOT aircraft used for executive travel. The Agency published the first applicable set of rates in a November 2013 change to an FAA order³³ and based the figures on cost and aircraft operation data³⁴ from fiscal years 2010 and 2011. FAA used these rates through fiscal year 2019 and then updated the rates in fiscal years 2020 and 2021. See table 5 for the aircraft use rates during the scope of our audit.

Table 5. Flight Hour Rates for Aircraft Used by DOT Officials, 2013–2023

	Gulfstream G-IV	Cessna Citation 560XL	Cessna Sovereign 680
11/18/2013–9/30/2019			
All Locations	\$3,347	\$967	N/A ^c
10/1/2019–9/30/2020			
Locations Within Continental U.S.	N/Aª	\$906	N/A ^c
Locations <u>Outside</u> Continental U.S.	N/Aª	\$1,761	N/A c
10/1/2020-Present			
Locations Within Continental U.S.	N/Aª	\$911 ^b	\$911
Locations <u>Outside</u> Continental U.S.	N/Aª	\$1,362 ^b	\$1,362

^a Gulfstream G-IV aircraft removed from FAA fleet in December 2019.

Source: OIG analysis of FAA data

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^b Cessna Citation 560XL aircraft removed from FAA fleet in April and October 2022.

^c Cessna Sovereign 680 aircraft added to FAA fleet in January 2022.

³² FAA uses the CAMP Flight Scheduling system (CAMPFS) to generate DOT aircraft use cost estimates.

³³ FAA Order 2500.36N at the time was under the responsibility of the FAA Office of Finance and Management (AFN).

³⁴ The primary variable costs included in the calculations are maintenance, pilots/crew, fuel, and lease expenses (where applicable).

Per OMB guidance,³⁵ FAA should calculate the variable cost rates for each aircraft type before the beginning of every fiscal year. However, while FAA representatives told us they performed annual reviews of the flight hour rates and source data, FAA did not provide documentation that the Agency annually recalculated flight hour rates in fiscal years 2017 and 2018 for DOT aircraft used for Secretarial transportation.

Starting in fiscal year 2019, FAA staff performed annual recalculations after reviewing the rates and source data. However, FAA did not implement an updated rate for fiscal year 2019. In addition, despite leasing a new aircraft type in 2022, FAA has not implemented revised rates since fiscal year 2021. Although the Agency has a policy³⁶ governing the application of flight hour rates, the current policy does not have an established threshold or amount of cost fluctuation that would trigger a rate update, designate a person responsible for making that determination, or define the frequency of rate updates. According to FAA, one reason the Agency did not regularly update the flight hour rates was because representatives stated their review did not show significant fluctuations in key operating costs such as fuel.

FAA staff we interviewed stated that the Agency was working to establish a revised policy, document the rate update methodology, and transition the revised policy to Flight Program Operations, including clarifying roles, responsibilities, and methodology. According to these representatives, the Agency aimed to publish the updated guidance, including the rate tables, by the end of calendar year 2023. Subsequent to our draft report and recommendations, FAA provided us with a revised policy, which we are currently reviewing. FAA representatives stated they had not previously updated this order because, following the 2016-2018 consolidation of multiple flight programs into a single operating organization, the Agency prioritized safety improvements over administrative changes. More recently, Flight Program Operations was working to finalize the transition of this order from the originally responsible office. As a result of the lack of a comprehensive and updated policy regarding annual flight hour rate calculations, the flight hour rates may not have reflected the most current aircraft operating costs, and the flight hour rates could be either higher or lower than the rates used.

Further, we identified three instances in which FAA did not use the correct flight hour rate for aircraft cost estimates. FAA uses commercial software to generate cost estimates for DOT aircraft use, based on the requested itinerary as well as

³⁵ OMB Circular No. A-126 requires agencies to: (1) accumulate all historical, variable costs for the previous 12 months from the agency's accounting system, (2) adjust the historical costs for inflation and known upcoming changes, and (3) divide the total projected variable costs by the projected annual flying hours to compute the projected variable cost/hourly usage rate.

³⁶ FAA Order 2500.36N.

the current flight hour rates for the aircraft type. According to FAA, the system uses rates inputted into the system by an administrator following each rate update and cannot be modified manually for individual cost estimates. However, in the three instances we identified, FAA used outdated rates to generate aircraft cost estimates. These discrepancies demonstrated FAA lacks an effective internal control over this data input. For example, for a trip in fiscal year 2022, FAA erroneously used flight hour rates effective in fiscal year 2019, which were \$56 more per hour than the rates in effect in fiscal year 2022. While in these instances the resulting cost estimates did not negatively impact the cost effectiveness of the trips, this control weakness could potentially result in incorrect cost comparisons.

Conclusion

Ensuring that Federal officials, including career personnel and political appointees, adhere to Federal requirements regarding the proper use of public resources is essential to maintaining public trust and confidence. The Department has internal controls over the process to authorize and approve travel on official use of DOT aircraft, such as requiring legal review and approval of all aircraft use justifications, and has implemented new ones, such as expanded voucher audit criteria, to help ensure process standardization. Our review found that all 15 trips taken by the Secretaries during our review period complied with Federal regulations and policies, but there are opportunities for improvement in FAA's policy regarding flight hour rates and the processes used to update them. Continued oversight in this area is important to maintain transparency and accountability for Federal funds.

Recommendations

Because we determined OST complied with Federal regulations, policies, and procedures regarding the use of DOT aircraft for Secretarial travel, we are not making recommendations to OST in this report.

To improve FAA's aircraft rate update process, we recommend that the Federal Aviation Administrator:

1. Complete the ongoing effort to update the DOT aircraft flight hour use rates and the associated FAA policy and guidance, including documenting the methodology and process to perform annual rate recalculations for each aircraft type in accordance with OMB Circular No. A-126, as well as a threshold to apply rate updates.

2. Establish a control in the Agency's flight scheduling process to make sure FAA personnel use the correct aircraft flight hour rates when generating travel quotes.

Agency Comments and OIG Response

We provided OST and FAA with our draft report on November 13, 2023, and received the combined formal response, which is included in its entirety as an appendix to this report, on December 8, 2023. DOT concurred with both of our recommendations, provided documentation for both recommendations regarding FAA's actions taken in response, and requested closure within 30 days of issuance of the final report. Accordingly, we consider all recommendations as resolved but open pending OIG review of FAA's documentation.

Actions Required

We consider recommendations 1 and 2 resolved but open pending OIG review of FAA's documentation.

Exhibit A. Scope and Methodology

This performance audit was conducted between March 2023 and November 2023. We conducted this audit in accordance with generally accepted Government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. Our audit objective was to determine whether OST complied with Federal regulations, policies, and procedures regarding executive travel on DOT aircraft.

Our review covered all official trips taken on DOT aircraft between January 31, 2017, and June 30, 2023, by Secretaries Chao and Buttigieg. To determine the universe of relevant trips made using DOT aircraft, we first obtained and reviewed OST records showing the total universe of the Secretaries' air travel during that timeframe. These records included trips taken using commercial aircraft, as well as trips using DOT aircraft, military aircraft, and Air Force One or Air Force Two. To validate the completeness and accuracy of these trip records, we cross-checked the original air travel trip records from OST with trip records from other data sources, including additional E2 records and DOT Senior Federal Travel Reports.

Although we did summarize the Secretaries' trips taken using all forms of air travel for background and context, the scope of our review focused on determining OST's compliance regarding executive travel on DOT aircraft. Therefore, we specifically reviewed the documentation for Secretary Pete Buttigieg's trips taken using DOT aircraft between February 3, 2021, and June 30, 2023, as well as Secretary Elaine Chao's trips taken between January 31, 2017, and January 11, 2021.

We reviewed the applicable Federal regulations, policies, and procedures related to executive travel on Government aircraft and management of DOT aircraft. In addition, we analyzed Department policies and process documentation, such as travel memorandums, correspondence, cost comparisons, workflow diagrams and checklists, E2 records, and training materials. We also reviewed DOT and FAA guidance and available methods for reporting potential fraud, violations, or other employee concerns. Further, we reviewed and analyzed Agency aircraft hourly rate tables, flight hour rate calculation data inputs, aircraft fleet data, aircraft scheduling guides, and executive transportation flight records, such as flight releases and authorizations.

We performed analyses of travel records for the 15 trips on DOT aircraft, including the OGC-approved travel memorandums and FAA flight manifests, to

assess compliance with Federal travel policies and procedures. We reviewed the purpose of the trip, stated DOT aircraft use justification, trip cost data, passengers' Federal employment status, aircraft capacity, and whether the dates and locations shown in the flight log data and itinerary matched. We also reviewed submission dates of E2 travel approval, authorization, and voucher documents to assess timeliness and compliance with established requirements. In addition, we compared OST-provided travel records to trip records directly obtained from the travel records management system, as well as information summarized in Senior Federal Travel Reports, to assess data completeness and accuracy.

We interviewed 22 representatives from OST and FAA's Flight Program Operations who are involved in the executive travel process. Specifically, we interviewed Department representatives from OST, including OGC, the Immediate Office of the Secretary, and the Office of Financial Management. We asked about the executive travel planning and scheduling process; OGC aircraft use approval; trip arrangement, review, and approval completed in E2; and travel records oversight, including E2 travel voucher audits. In addition, we interviewed FAA representatives to learn about the Agency's coordination and interaction with OST for the Secretaries' travel on FAA-operated aircraft, as well as other Agency lines of business involved.

Further, in reviewing OST's procedures to determine cost effectiveness, we reviewed FAA's process to calculate the flight hour rates for its aircraft, used by OST in its cost comparisons. Specifically, we reviewed FAA-provided aircraft travel quotes and then validated them by recalculation to determine if FAA used the correct flight hour rate, multiplying the estimated travel time with the published flight hour rates. We also validated the reported cost savings using DOT aircraft in OST's trip cost comparison documents by recalculating estimated cost savings. In addition, we validated the DOT aircraft trip cost amounts for internal users reported to the General Services Administration (GSA) in the Senior Federal Travel Report by conducting our own calculations of the aircraft use cost per person, per leg. These recalculations used the actual flight time per leg, the published flight hour rates, the number of passengers per leg, and the number of legs on the total trip. We performed this analysis to determine the estimated cost of using DOT aircraft after the flight occurred.

We determined there are currently four electronic data systems relevant to our review used by OST and FAA for executive travel to manage travel reservations, store travel records, generate travel quotes, and track flight hours. To assess the reliability of these systems in relation to our audit objectives, we interviewed select personnel involved in the use of those systems as part of the travel planning process and observed demonstrations of how to use those systems. We asked questions about the controls, analysis functions, and guidance and instructions for these systems to assess the reliability of data generated and to

validate information gathered from testimonial evidence. We observed data entry and extraction processes that Agency personnel would use as part of document management and tracking, as well as system security and access controls. We also observed internal controls on data entry processes and procedures for assessing data quality. Although we identified that FAA needs to strengthen the controls in its processes around ensuring the person creating an aircraft travel quote selects the right flight hour rate in CAMPFS, we found these electronic data systems to be sufficiently reliable for our audit purposes.

Exhibit B. Organizations Visited or Contacted

Office of the Secretary (OST)

Immediate Office of the Secretary

Office of the General Counsel

Office of the Executive Secretariat

Office of Financial Management

Office of Security

Office of Cybersecurity and Information Protection

Federal Aviation Administration (FAA)

Air Traffic Organization

Flight Program Operations

Office of Finance and Management

Office of Financial and Labor Analysis

Office of Investigations

Office of Audit and Evaluation

Exhibit C. Secretaries' Trips Using Military Aircraft

Secretary	Trip Date	Trip Location	Trip Purpose
Buttigieg	April 14–17, 2022	The Hague, Netherlands	Lead the Invictus Games Presidential Delegation
Chao	January 23–26, 2018	Davos, Switzerland	Participation in the World Economic Forum
Chao	October 17–24, 2019	Tokyo-To, Japan	Presidential Delegation to Indonesia and Japan

Source: OIG analysis of OST data

Exhibit D. List of Acronyms

AAE Office of Audit and Evaluation, FAA

AXI Office of Investigations, FAA

CAMPFS CAMP Flight Scheduling

C.F.R. Code of Federal Regulations

DoD Department of Defense

DOT Department of Transportation

E2 E2 Solutions

ESC Enterprise Services Center, FAA
Federal Aviation Administration

FTR Federal Travel Regulation

GSA General Services Administration

IIJA Infrastructure Investment and Jobs Act

OGC Office of the General Counsel, OST

OIG Office of Inspector General

OMB Office of Management and Budget

OST Office of the Secretary

U.S.C. United States Code

Exhibit E. Major Contributors to This Report

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Appendix. Agency Comments



Assistant Secretary for Administration

1200 New Jersey Avenue, SE Washington, DC 20590

Office of the Secretary of Transportation

MEMORANDUM

Date: 12/8/2023

Subject: INFORMATION: Management Response to the Office of

Inspector General (OIG) Draft Report on OST's Compliance With Federal Policies and Procedures for

Executive Travel on DOT Aircraft

From: Philip McNamara

Assistant Secretary for Administration

To: Nelda Smith

Assistant Inspector General for Aviation Audits

The U.S. Department of Transportation (Department) remains committed to ensuring all executive travel on commercial aircraft, military aircraft, and government aircraft complies with all applicable Federal regulations, policies, and procedures.

The Federal Aviation Administration (FAA) is responsible for a fleet of 38 aircraft that support aviation safety training; flight inspection; research, development, test and evaluation support; and critical event response/transportation. Flights carrying Department officials accounted for less than one percent of total flight hours conducted across the fleet. The FAA operates and maintains the fleet in accordance with the Federal regulations and consistent with industry operators of similar size, scope, and complexity. The FAA also remains committed to ensuring that all administrative processes are documented and incorporate sufficient internal controls in accordance with applicable Federal regulations, policies, and guidance.

The FAA calculates flight hour rates for each aircraft type in accordance with OMB Circular A-126, *Improving the Management and Use of Government Aircraft*. The FAA provides all stakeholders requesting use of the aircraft the most current flight hour rates for the purposes of budgeting or preparing cost estimates. Since the consolidation of flight programs under the FAA Flight Program Executive, the FAA has refined its methodology for calculating the flight hour rates and, in November 2023, implemented a more structured process for updating and publishing the flight hour rates.

Upon review of the draft report, the FAA concurs with OIG's two recommendations as written. On November 24, 2023, the FAA implemented both recommendations and the Department provided supporting documentation to OIG on December 5, 2023. We request closure within 30 days of the final report issuance.

The Department appreciates the opportunity to respond to the OIG's draft memo. Please contact Gary Middleton, Director, Office of Audit Relations and Program Improvement, at (202) 366-6512, with any questions or if you would like additional details.

¹14 CFR Part 135.

U.S. Department of Transportation
Office of Inspector General

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