

PLEASE NOTE: *As of May 2008, changes to the Patriot Express schedules are being planned. For more information, see this article from the Stars & Stripes, <http://www.stripes.com/article.asp?section=104&article=55201>. The information below was written in 2006 and may not reflect the most current schedule information. To avoid problems, check with the CTO for the latest Patriot Express schedules and base your plans on the most current schedule information.*

May 26, 2006

To: Educators in the FEA Unit in Japan

From: H.T. Nguyen, FEA Executive Director/General Counsel

Re: **GUIDANCE REGARDING THE PATRIOT EXPRESS**

An issue that has recently surfaced in Japan concerns the use of the “Patriot Express” when traveling on RAT during the summer. The Patriot Express is a regularly scheduled charter flight contracted for by the military in some parts of Japan. The Patriot Express flights are scheduled every Saturday and every other Wednesday. It is our understanding that the military is making efforts to direct people to use the Patriot Express.

Under the negotiated agreement between the Association and management, our educators have the right to choose whether to use the Contracted Travel Office (CTO) to arrange travel, or to arrange their own travel when they perform RAT travel. Our office conducted research into the issue of what options our educators may have regarding the use or non-use of the Patriot Express. As a result of this research, the following is our guidance concerning the three options that are available to the educators in those areas of Japan where the Patriot Express is being used.

Option One:

- You can go to the CTO, and if you list dates for travel when the Patriot Express is considered “available,” in general, you will be placed on the Patriot Express.
- The “**availability**” of the Patriot Express depends on the week you schedule your travel with the CTO- since the Patriot Express flies every Saturday and every other Wednesday.
 - If you schedule travel with the CTO on a week when the Patriot Express **ONLY** flies on Saturday, the Patriot Express will be considered “available” if you ask for travel on that Thursday, Friday or Saturday.
 - If you schedule travel with the CTO on a week where the Patriot Express is available on both Saturday and Wednesday, the Patriot Express will be considered “available” every day **EXCEPT** Sunday.

- **Advantages:**
 - The CTO uses “Direct Billing,” which means you do NOT have to pay for the travel up front and wait to be reimbursed
- **Disadvantages:**
 - Delays in transferring flights can be up to 14 hours
 - No circuitous route travel or delays in route (CTO will book the most direct route to your destination)
 - Time and effort in going to the CTO

Option Two:

- To avoid flying on the Patriot Express, you can go to the CTO, and request travel on dates where the Patriot Express is considered “**unavailable.**”
- As the Patriot Express flies every Saturday and every other Wednesday, it is considered “**unavailable**” on the following dates:
 - If you schedule travel with the CTO on a week when the Patriot Express ONLY flies on Saturday, the Patriot Express is considered “**unavailable**” on Sunday, Monday, Tuesday and Wednesday of the week leading up to that Saturday.
 - If you schedule travel with the CTO on a week when the Patriot Express flies on Wednesday and Saturday, the only date the Patriot Express is considered “**unavailable**” that week is Sunday.
- **Advantages:**
 - The CTO uses Direct Billing
 - Can fly commercial
 - Do not have to use the Patriot Express
- **Disadvantages:**
 - No circuitous travel or delays in route (CTO will book the most direct route to your destination)
 - Time and effort in going to the CTO

Option Three:

- As is your right under the Negotiated Agreement, you can arrange your own travel, without going to the CTO.
- **Advantages:**
 - Do not have to fly on the Patriot Express

- You are reimbursed at the constructive cost at the government commercial rate (the constructed cost of what it would cost if the government had booked the travel on commercial airlines)
 - Can schedule Circuitous Travel or delays in route
 - Do not need to go to the CTO
- **Disadvantages:**
 - No direct billing (this means you must pay up front, complete a voucher and wait to be reimbursed)

Important notice to educators who select option #3, please carefully note the following:

Please be sure to follow the standard operating procedures for requesting RAT orders. Furthermore, in accordance with the directions on the back of the RAT travel orders you will receive, please submit your voucher for reimbursement to DFAS- Columbus. PLEASE DO NOT submit your RAT voucher to the local finance offices.

Please note as well that management and the Association do not have an agreement concerning the rate of reimbursement under option #3 if the Patriot Express is considered “available” (see option #1 above to determine when the Patriot Express is considered available). Management’s position is that if the Patriot Express is considered “available,” then the employee should only be reimbursed the cost of the Patriot Express, instead of the constructive cost at the government commercial rate. This means that management’s position is that you would be reimbursed about \$400 for travel to the West Coast and about \$500 for travel to the East Coast, instead of the cost of commercial travel on the same route.

The Association’s position is that if the employee exercises their contractual right to arrange their own travel, in accordance with the negotiated agreement, it does not matter whether the Patriot Express is available or not. The Association’s position is that if the employee selects option #3, then the employee should be reimbursed at the constructive cost at the government commercial rate.

In the event that you select option #3, and submit your voucher to DFAS-Columbus, but you are only reimbursed at the cost of the Patriot Express, please contact our office immediately. The Association will file an Association grievance to resolve this dispute concerning the proper reimbursement for educators selecting option #3, if management contends that the reimbursement should be limited to the cost of the Patriot Express.

While we believe in our position and are cautiously optimistic, we cannot, however, guarantee the outcome as litigation is always unpredictable.

If you have any questions, please contact us at fea.legal@hq.dodea.edu.