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FEELING SO FLY LIKE A C12 (OR MAYBE A UC35, DEPENDING ON AVAILABILITY): A PRIMER ON UTILIZING MILAIR FOR OFFICIAL TRAVEL¹

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I. Introduction

Hypothetical scenario: you are the new Chief of Administrative Law at V Corps in Heidelberg, Germany, and just got a heads up from G3 Aviation that there will be a military air (MILAIR) request coming in today for the Commanding General (CG), Major General (MG) Tressel. No sooner did you hang up the phone with the aviation folks when you received an urgent call from MG Tressel's aide, who was frantically attempting to plan last minute travel for the boss after a number of taskings came down from U.S. Army Europe. According to the aide, MG Tressel needs to attend a rehearsal of concept (ROC) drill and provide his

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¹ FAR EAST MOVEMENT, LIKE A G6 FT. THE CATARACS AND DEV (Cherrytree and Interscope Records 2010).

command intent with 2d Cavalry Regiment (2CR) in Grafenwoehr, Germany, on 1 April, followed immediately by travel to T’bilisi, Georgia, for a series of meetings with the Georgian Minister of Defense from 2-4 April. Major General Tressel then needs to stop in Oberammergau, Germany, to attend the Combined Training Conference (CTC) on 5 April, before returning to Heidelberg on 6 April. The aide signs off, “We need to make MILAIR work for this travel. I’ll have the request to G3 Aviation within the hour.” Good. That gives you an hour to learn how to review a request for MILAIR. Plenty of time.

With increased scrutiny on government travel, it is critical that judge advocates (JAs) understand the rules surrounding government travel and help ensure leaders comply with all laws, policies, and procedures governing the use of government aircraft.² A JA well-versed in the nuances of MILAIR can help streamline the MILAIR process and enable mission success, all while keeping Army personnel “in the ethical midfield.”³

This article will provide JAs with an overview of the applicable rules pertaining to the use of government aircraft in lieu of commercial aircraft for official travel and outline how to analyze such requests for legal sufficiency. Part II will discuss the differences between operational and administrative use, and distinguish between routine site visits and the exercise of command authority. Then, Part III will discuss the two justifications for administrative use of MILAIR—commercial service is not reasonably available or it is more cost-effective than commercial

² David Smith, *Treasury Chief Steven Mnuchin Asked for a Government Jet for His Honeymoon*, THE GUARDIAN (Sept. 13, 2017, 8:47 PM), <https://www.theguardian.com/us-news/2017/sep/13/treasury-secretary-steven-mnuchin-honeymoon-government-jet>; Miranda Green, *Mnuchin Won’t Commit to Commercial Only Flights for Treasury Travel*, CNN (Sep. 28, 2018, 12:23 PM), <https://www.cnn.com/2017/09/28/politics/steven-mnuchin-military-jet-use/index.html>; see also Press Release, Judicial Watch, *Judicial Watch Uncovers New Documents Detailing Pelosi’s Use of Air Force Aircraft for Her Family in 2010* (July 21, 2011), <https://www.judicialwatch.org/press-room/press-releases/judicial-watch-uncovers-new-documents-detailing-pelosis-use-of-air-force-aircraft-for-her-family-in-2010/>; Associated Press, *General William Ward Demoted for Lavish Travel, Spending*, POLITICO (Nov. 13, 2012, 12:21 PM, Updated Nov. 13, 2012, 1:11 PM), <https://www.politico.com/story/2012/11/general-william-ward-demoted-for-lavish-travel-spending-083770>.

³ Memorandum from SecDef to all DoD Personnel, subject: Ethics Sentinels (13 Sept. 2018).

transportation.⁴ Using MG Tressel's proposed travel as a foundation, each justification will be discussed in turn and it will look at the practical application of the rules and how requestors can best document their request. Finally, Part IV will address who can approve each type of travel request.

II. Mission Requirement (i.e. Operational Use) vs. Other Official Travel (i.e. Administrative Use)

The Office of Management and Budget Circular No. A-126 (OMB A-126), issued in May 1992, is the cornerstone for all analysis of the use of government aircraft for official travel. It establishes that "agencies shall operate government aircraft only for official purposes" and draws a distinction between "mission requirements" and "other official travel."⁵ Thus, the first question JAs must answer when analyzing a MILAIR request is whether the purpose of the travel is for "mission requirements," also known as "operational" use, or if the travel is for another official purpose, also known as "administrative" use.⁶ The answer to this question will dictate the approval level for the MILAIR request.⁷

When classifying proposed travel as either operational or administrative, one should turn first to OMB A-126, which addresses travel for mission requirements and includes a non-exhaustive list of "activities that constitute the discharge of an agency's official responsibilities."⁸ It includes, "the transport of troops and/or equipment, training, evacuation (including medical evacuation), intelligence and counter-narcotics activities, search and rescue, transportation of prisoners,

⁴ This article will not address "required users," as there are so few of them in the Department of the Army that, practically speaking, the issues pertaining to them will not be helpful to the majority of readers and practitioners in the field.

⁵ OFFICE OF MGMT. & BUDGET, OMB CIR. A-126, IMPROVING THE USE AND MANAGEMENT OF GOVERNMENT AIRCRAFT para. 7 (May 22, 1992) [hereinafter OMB A-126].

⁶ U.S. DEP'T OF ARMY, REG. 95-1, FLIGHT REGULATIONS para. 3-5 (22 Mar. 2018) [hereinafter AR 95-1].

⁷ See AR 95-1, *supra* note 6, para. 2-14a(3); OMB A-126, *supra* note 5, para. 11a; U.S. DEP'T OF DEF., DIR. 4500.56, DoD POLICY ON THE USE OF GOVERNMENT AIRCRAFT AND AIR TRAVEL para. 4e (C5, 3 Apr. 2019) [hereinafter DoDD 4500.56]; U.S. DEP'T OF ARMY, DIR. 2017-05, SECRETARY OF THE ARMY POLICY FOR TRAVEL BY DEPARTMENT OF THE ARMY SENIOR OFFICIALS encl., para. 1g (18 Jan. 2017) [hereinafter AD 2017-05].

⁸ OMB A-126, *supra* note 5, para. 5b.

use of defense attaché-controlled aircraft, aeronautical research and space and science applications, and other such activities.”⁹

The Department of Defense (DoD) adopts a nearly identical definition of “official travel to meet mission requirements” in DoD Instruction (DoDI) 4500.43:

Mission requirements are activities that constitute the discharge of a DoD Component’s official responsibility. Such activities include, but are not limited to, the transport of troops and equipment, training, evacuation (including medical evacuation), intelligence and counter-narcotics activities, search and rescue, transportation of prisoners, use of defense attaché-controlled aircraft, aeronautical research and space and science applications, and other such activities. Mission requirements do not include official travel to give speeches, attend conferences or meetings, or make routine site visits.¹⁰

The Army, in Army Regulation (AR) 95-1, echoes and expands on the OMB A-126 and DoDI 4500.43 lists and rebrands “mission requirements” as “operational.”¹¹ In addition to those operational uses previously enumerated, the Army includes as operational uses:

- a. Actual or simulated tactical and combat operations.
- b. [A]ircrew/crewmember training . . .
- h. [R]esearch and development.
- i. Maintenance flights.
- j. Flight tests.
- k. Repositioning or reassignment of aircraft . . .
- m. Special use (Defense Support of Civilian Authorities/intelligence related activities, humanitarian, disaster relief, and deployments).

⁹ *Id.*

¹⁰ U.S. DEP’T OF DEF., INSTR. 4500.43, OPERATIONAL SUPPORT AIRLIFT Glossary (C3, 31 Aug. 2018) [hereinafter DoDI 4500.43]; *but see* U.S. DEP’T OF DEF., INSTR. 4515.13, AIR TRANSPORTATION ELIGIBILITY (C3, 13 Aug. 2018) [hereinafter DoDI 4515.13]; DoDD 4500.56, *supra* note 7 (while seminal references for MILAIR issues, do not address this issue).

¹¹ AR 95-1, *supra* note 6, para. 3-3; *see also* DoDI 4500.43, *supra* note 10; DoDI 4515.13, *supra* note 10; DoDD 4500.56, *supra* note 7.

- n.* Aeromedical evacuation by aeromedical unit . . .
[and]
- p.* Exercising command and/or supervision authority at adjacent and local installations.¹²

In addition to the expanded list of enumerated operational uses, AR 95-1 offers additional guidance on what qualifies as operational, noting, “[o]perational use includes those missions required to accomplish the Army’s mission and to maintain the combat readiness of aviation and ground units.”¹³ Importantly, AR 95-1, like OMB A-126, emphasizes that the enumerated list is not all-inclusive, thus giving Army personnel and JAs maneuver space to legitimately and effectively employ MILAIR.¹⁴

However, the Office of Management and Budget (OMB), DoD, and the Army distinguish between operational use and use for “other official travel.” The Army defines “other official travel,” or administrative travel, as “travel to give speeches; attend conferences, meetings, or training courses; make routine site visits; and other similar uses.”¹⁵ Thus, if an individual’s proposed travel is not one of the enumerated operational uses in either OMB A-126 or AR 95-1, or cannot be considered required to “maintain the combat readiness of aviation and ground units,” the travel is properly categorized as administrative travel.¹⁶

Most travel outside a combat theater is properly defined as “administrative.”¹⁷ However, AR 95-1 creates a significant gray area between operational use, which specifically includes “exercising command and/or supervision authority at adjacent and local installations,” and administrative use, which includes “routine site visits.”¹⁸ Analysis of whether something is a “routine site visit” will be fact-based and may require back and forth with the requestor so the travel can be properly categorized.¹⁹ For an individual’s travel to be considered for command or supervision purposes, there should be a formal command or supervisory

¹² AR 95-1, *supra* note 6, para. 3-3.

¹³ *Id.*

¹⁴ *Id.*; OMB A-126, *supra* note 5, para. 5b.

¹⁵ AR 95-1, *supra* note 6, para. 3-5.

¹⁶ *Id.* paras. 3-3, 3-5.

¹⁷ AR 95-1, *supra* note 6, paras. 3-1–3-5.

¹⁸ *Id.* para. 3-5.

¹⁹ This assertion is based on the author’s recent professional experience as an Administrative Law Attorney for United States Army Europe from August 2017 to July 2018 [hereinafter Professional Experience].

relationship between the traveler and individuals at the destination.²⁰ For example, the traveler should be in the rating chain of those whom he or she is visiting or the traveler should exercise some manner of control (e.g., administrative, tactical, operational, etc.) over the unit he or she is visiting.²¹ Further, an individual must demonstrate that the proposed travel is “more than a routine site visit.”

When determining if travel is more than a routine site visit, JAs should review the traveler’s schedule, looking for events that do not occur as a matter of course in a unit’s battle rhythm. For example, travel to attend a subordinate unit’s weekly Commander’s Update Brief (CUB) would be administrative use because the CUB is merely a routine meeting.²² If, however, a commander is traveling in order to observe a subordinate unit’s participation in an exercise, the purpose of the commander’s visit would be more than routine, and may qualify as exercising command or supervisory control, and could be properly categorized as operational use.²³

When reviewing MG Tressel’s travel, JAs will notice four legs. Leg 1 is travel from Heidelberg to Grafenwoehr to observe a 2CR ROC drill; Leg 2 is from Grafenwoehr to T’bilisi for meetings with the Georgian Minister of Defense; Leg 3 is from T’bilisi to Oberammergau to attend the CTC; and Leg 4 is the return to home station. Applying the operational and administrative use standard to the purpose of the proposed travel reveals Leg 1 as an operational use, while Legs 2 through 4 are properly categorized as administrative use.

For Leg 1, MG Tressel is traveling to Grafenwoehr to observe a ROC drill and give his command intent to 2CR. Because MG Tressel will be exercising his command authority and because the purpose of his travel is for something more than a meeting or routine site visit, his travel could be properly categorized as operational.²⁴ Conversely, the purpose of MG Tressel’s travel for Legs 2 through 4 is clearly administrative. While unquestionably important, MG Tressel’s engagement with the Georgian Minister of Defense is a meeting and does not involve him exercising command at an adjacent location. Moreover, travel for the purpose of a

²⁰ *Id.*

²¹ *Id.*

²² See AR 95-1, *supra* note 6, para. 3-5.

²³ *Id.* para. 3-3.

²⁴ *Id.*

meeting is explicitly included as administrative use under AR 95-1.²⁵ As such, his movement to Georgia is for an administrative purpose.²⁶ Likewise, Leg 3 is for the purpose of MG Tressel attending a conference, another administrative purpose under AR 95-1, in Oberammergau, and is, thus, administrative in nature.²⁷ Finally, Leg 4 is for MG Tressel's return to home station and, thus, administrative.²⁸

Keen to the distinction between operational and administrative use, JAs can, when appropriate, give individuals maneuver space and create travel efficiencies by categorizing travel as operational.²⁹ That said, most travel will properly be categorized as administrative.³⁰

III. Justifying MILAIR for Administrative Use

As a baseline for all government travel, government officials should only travel when they have shown “the benefit of the travel to the Army and that the purpose of the travel cannot be accomplished by a less expensive alternative, such as videoconference or Web-based communication.”³¹ When personal attendance is necessary, travelers should first look to utilize commercial air (COMAIR) for their administrative travel needs.³² Pursuant to OMB A-126, MILAIR may be utilized in two scenarios—no commercial service is reasonably available or MILAIR is more cost-effective than commercial transportation.³³ Understanding each is key to a successful MILAIR review.

²⁵ *Id.* para. 3-5.

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

²⁹ Operational use of military aircraft (MILAIR) has a much lower approval level, and, thus, takes significantly less staff time to make a reality. *See infra* Section IV.

³⁰ While AR 95-1, para. 3-3, includes “exercising command and/or supervision at adjacent and local installation” as an operational use, most MILAIR requests tend to be for official duties that fall within AR 95-1, para. 3-5’s “other official travel.” Professional Experience, *supra* note 19.

³¹ AD 2017-05, *supra* note 7, para. 1d.

³² OMB A-126, *supra* note 5, para. 8a(i).

³³ *Id.*

A. Commercial Service is Not Reasonably Available

The first justification for the use of MILAIR to satisfy one's administrative, or non-operational, transportation needs arises when commercial service is not reasonably available to satisfy the traveler's requirements. Office of Management and Budget A-126 defines reasonably available as, "able to meet the traveler's departure and/or arrival requirements within a twenty-four hour period, unless the traveler demonstrates that extraordinary circumstances require a shorter period to fulfill effectively the agency requirement."³⁴ The DoD echoes this definition of "reasonably available" and offers additional guidance for requestors on how to document the unavailability of commercial travel.³⁵

Requestors may show that commercial service is not reasonably available if they "clearly demonstrate that a valid official reason for the use of government aircraft exists," and "cite scheduling requirements and why they cannot be changed, whether secure communications are required, or other appropriate factors."³⁶ Although MILAIR cannot be justified on the basis of rank or status, practically speaking, it is likely much easier for more senior travelers to justify MILAIR on this basis because their schedules are typically very full. In accordance with DoD Directive (DoDD) 4500.56, "[t]ravel status, distinguished visitor (DV) code or status, grade, or rank alone is not sufficient to justify the use of government aircraft or to dictate a particular aircraft type."³⁷

While JAs should not attempt to dictate a traveler's schedule, it is the JA's responsibility to ask hard questions about whether or not a particular meeting can be moved to accommodate a commercial flight.³⁸ Indeed, it is important for JAs to keep in mind the language from OMB A-126, which requires traveler's to consider travel options within a twenty-four hour period.³⁹ For example, suppose MG Tressel's travel to Grafenwoehr were for an administrative purpose. He would need to include his schedule for 31 March and 2 in order to show why commercial transportation

³⁴ *Id.* para. 8a.

³⁵ DoDD 4500.56, *supra* note 7, para. 4c.

³⁶ *Id.* encl. 3, para. 3b.

³⁷ *Id.* para. 4c.

³⁸ U.S. DEP'T OF ARMY, REG. 27-26, RULES OF PROFESSIONAL CONDUCT FOR LAWYERS r. 2.1 (28 June 2018) [hereinafter AR 27-26], (stating, in part, "[i]n rendering advice, a lawyer may refer not only to law but to other considerations such as moral, economic, social, and political factors that may be relevant to the client's situation.")

³⁹ OMB A-126, *supra* note 5, para. 8a(i).

options cannot meet his requirement to be in Grafenwoehr on 1 April.⁴⁰ This is particularly true when dealing with high ranking travelers, who may be the senior ranking individual at an event and, thus, able to dictate times and places of meetings. If a requestor has the ability (i.e., the rank and authority) to move a meeting thirty minutes to accommodate a commercial travel option, the requestor must articulate in the MILAIR request why he or she cannot move the meeting. In many cases, moving one meeting causes a domino effect that impacts other engagements in the course of a day over which the requestor does not have control.

In addition to the guidance on when transportation is reasonably available set forth in OMB A-126 and DoDD 4500.56, the Joint Travel Regulation (JTR) is also instructive on the issue.⁴¹ Specifically, section 0202 of the JTR “addresses transportation to, from, and around official travel locations.”⁴² The JTR further establishes, “[n]ormally, a traveler is not required to travel between the hours of 2400 and 0600 if it is not necessary for the mission.”⁴³ Thus, it is feasible that, although commercial flights may be offered to a traveler’s destination, they may be considered “reasonably unavailable” because of the time they are offered.⁴⁴

Consider MG Tressel’s request to travel to T’bilisi via MILAIR for meetings with the Georgian Minister of Defense. Major General Tressel’s meetings with the Georgians are preceded by preparatory meetings with the Office of Defense Cooperation and the Ambassador.⁴⁵ Now, assume a commercial flight is reasonably available if MG Tressel postpones his meeting with the country team until later in the day.⁴⁶ While MG Tressel may be able to dictate a move of a meeting with the country team, he likely could not and should not do so if such a request would require him to also

⁴⁰ *Id.*

⁴¹ U.S. DEP’T OF DEF., THE JOINT TRAVEL REGULATIONS (JTR) (1 Jan. 2019) [hereinafter JTR].

⁴² *Id.* sec. 0202.

⁴³ *Id.* para. 020202.

⁴⁴ *Id.*; see also OMB A-126, *supra* note 5, para. 8a and DoDD 4500.56, *supra* note 7, encl. 3, para. 3a.

⁴⁵ See *infra* Appendix A.

⁴⁶ *Id.* It is also worth noting that most flights in and out of T’bilisi, Georgia, often fall within the “excluded hours” contemplated by the JTR. As such, a reasonable debate exists as to whether flights offered during excluded hours alone can justify the use of MILAIR when those flights are the *only* flights offered to or from a destination. That is, if there are never flights to or from a destination during non-excluded hours, as defined by the JTR, can that alone justify the use of MILAIR? See JTR, *supra* note 41, para. 020202.

ask to shift meetings with the Ambassador or Georgian Minister. Thus, although a circumstance may arise where shifting a lower level meeting to accommodate commercial transportation may seem possible at first glance, the second and third order effects (e.g., impacting meetings over which the traveler *does not* have control) of such a move can amount to “other compelling operational considerations [that] make commercial transportation unacceptable” and justify the use of MILAIR.⁴⁷

B. MILAIR is More Cost-Effective Than Commercial Air

Even if a traveler’s schedule can accommodate the use of commercial air, the use of MILAIR may still be appropriate if the actual cost of using MILAIR is less than the cost of using commercial air.⁴⁸ Pursuant to OMB A-126, a cost comparison must be completed prior to approving the use of MILAIR.⁴⁹ However, it is worth noting, “secondary use of the aircraft for other travel for the conduct of agency business may be presumed to result in cost savings (i.e., cost comparisons are not required).”⁵⁰ That is, if a MILAIR flight is already scheduled (e.g., required use flight or training flight) that fits a traveler’s schedule, that traveler does not need to conduct a cost comparison. That said, practitioners are warned, “DoD components shall not schedule training missions to accommodate the travel of DoD senior officials. It is essential that managers and commanders at all levels prevent misuse of transportation resources well as perception of their misuse.”⁵¹ The ensuing sections discuss how to calculate the relevant costs for the purposes of the required cost comparison.

1. *Calculating the Actual Cost of MILAIR*

Because most MILAIR requests that JAs will provide a review involve DoD-owned aircraft, requestors will use the “variable cost of using the aircraft” as the actual cost of using the government aircraft.⁵² The DoD Comptroller publishes a memorandum annually which establishes the

⁴⁷ DoDD 4500.56, *supra* note 7, encl. 3, para. 3a.

⁴⁸ OMB A-126, *supra* note 5, para. 8a(ii).

⁴⁹ OMB A-126, *supra* note 5, Attachment A.

⁵⁰ OMB A-126, *supra* note 5, para. 8a(ii).

⁵¹ DoDD 4500.56, *supra* note 7, para. 4a.

⁵² *Id.*

hourly cost for various military airframes.⁵³ The titular, and most commonly used MILAIR assets, the C12 and UC35, cost \$2,019 and \$2,221 per hour, respectively, for fiscal year 2019 (FY19).⁵⁴ Thus, requesters should multiply the number of flight hours by the airframe's hourly rate to determine the cost against which they must compare the cost of commercial travel.⁵⁵

While the basic formula for calculating MILAIR's actual cost is straightforward, JAs should review a request carefully to ensure all costs are properly accounted for. For example, determining the number of flying hours for proposed travel requires more than just calculating the time between takeoff and landing. Indeed, calculating flying hours also includes "all time required to position the aircraft to begin the trip and to return the aircraft to its normal base of operations, if no follow-on trip is scheduled."⁵⁶ Imagine for a moment that MG Tressel did not utilize operational MILAIR for his travel to Grafenwoehr and instead used a non-tactical vehicle (NTV) (i.e., the aircraft is not already waiting for him in Grafenwoehr for his follow-on travel). When calculating the cost of MILAIR for the flight from Grafenwoehr to T'bilisi, MG Tressel would need to include the flight hours involved in moving the aircraft from its home station to Grafenwoehr.⁵⁷

Moreover, situations may arise where, on a multi-leg journey such as the one contemplated for MG Tressel, the aircrew are required to stay at a location in a temporary duty status to support follow on legs. In such situations, the actual cost of MILAIR must include the "travel expenses (particularly reimbursement of subsistence (i.e., per diem and miscellaneous expenses))" of the crew.⁵⁸ As such, the actual cost of utilizing MILAIR can be reduced to a simple mathematical formula: MILAIR = (Flying Hours x Aircraft's Hourly Rate) + any additional crew costs.⁵⁹ With the cost of MILAIR in hand, one can turn to calculating the cost of commercial air.

⁵³ Memorandum from Anne J. McAndrew, Deputy Comptroller, Office of Under Sec'y of Def. to Assistant Sec'y of Army (Fin. Mgmt. & Comptroller), et al., subject: Fiscal Year (FY) 2019 Department of Defense (DoD) Fixed Wing and Helicopter Reimbursement Rates (12 Oct. 2018) [hereinafter Aircraft Reimbursement Rates Memo].

⁵⁴ *Id.*

⁵⁵ OMB A-126, *supra* note 5, Attachment A.

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ OMB A-126, *supra* note 5, Attachment B; *see also infra* Appendix A.

⁵⁹ OMB A-126, *supra* note 5, Attachments A & B.

2. *Calculating the Cost of Commercial Air*

As with all other aspects of MILAIR, practitioners should begin their analysis of the cost of commercial air with OMB A-126. In accordance with OMB A-126, calculating the cost of commercial air begins with determining “the current government contract fare or price or the lowest fare or price known to be available for the trip.”⁶⁰ The DoD reiterates this point in DoDI 4500.43, noting the cost of commercial air calculation begins with the available government rate.⁶¹ The Secretary of the Army (SecArmy) elaborated on these commercial air requirements, stating, “[c]ommercial air travel must be conducted using contract fares via a contracted commercial travel office.”⁶² As such, requestors are best-served if they obtain a quote for commercial air transportation from their servicing Schedule Airlines Traffic Office (SATO).⁶³

While much attention is being paid to the cost of air travel, it is important for requestors to also consider the cost of commercial train travel when requesting MILAIR. This is particularly true if stationed overseas, where train travel is far more common and accessible than it is in the United States. Indeed, SecArmy allows requestors to use a noncontract commercial carrier when “rail service is available and that service is cost-effective and consistent with mission requirements.”⁶⁴ The SecArmy travel policy, when considered with DoD policy to minimize travel cost, should be read to require requestors to consider commercial rail service, in addition to commercial air service, when determining the availability of and cost of commercial travel options.⁶⁵

With a price quote from SATO (and/or the local rail provider, if necessary) in hand, requestors should continue their calculation. Next, requestors should “include, as appropriate, any differences in the costs of any additional ground or air travel, per diem and miscellaneous travel (e.g., taxis, parking, etc.), and lost employees’ work time (computed at gross hourly costs to the government, including benefits) between the two options.”⁶⁶ Elaborating further, DoDD 4500.56 establishes, “[i]n determining commercial costs, the cost of rental cars, the cost of lodging

⁶⁰ OMB A-126, *supra* note 5, Attachment A.

⁶¹ DoDI 4500.43, *supra* note 10, encl. 3, para. 4a(2)(a).

⁶² AD 2017-05, *supra* note 7, para. 3a.

⁶³ *Id.*

⁶⁴ AD 2017-05, *supra* note 7, para. 3a(4).

⁶⁵ *Id.*; DoDD 4500.56, *supra* note 7, para. 4a.

⁶⁶ OMB A-126, *supra* note 5, Attachment A.

and meals if the party must remain overnight, and other such appropriate factors may be considered.”⁶⁷

Calculating lost time can be complicated as many requests include multiple legs, travelers, and missions. Ultimately, determining the number of lost hours for each leg of travel requires answering one simple question: how long does it take the traveler to get from their door to their duty location with commercial travel and how long does it take with MILAIR?⁶⁸ The difference between the two numbers represents the traveler’s lost time. For purposes of calculating time associated with commercial travel, requestors should be mindful to include all factors that impact the traveler’s time. This may include transportation to the terminal, time to check-in and clear security, time to gather baggage at one’s destination, and time to acquire a rental car.⁶⁹ Likewise, requestors must do the same for MILAIR, though JAs should expect the various aspects of travel to be much faster with MILAIR.⁷⁰ For example, it is typically not necessary to arrive at the terminal two or three hours early for a military flight, as it would be for a commercial flight. Likewise, travelers on MILAIR can expect to avoid long waits for baggage or to clear customs.⁷¹

Judge Advocates should be cautious that requestors do not pad the “travel team,” in order to accumulate sufficient additional costs for commercial travel and lost time to justify the use of MILAIR on a cost-effective basis.⁷² Indeed, OMB A-126 reminds requestors to only include costs for travelers on official business.⁷³ As such, JAs should ensure that requestors include a justification for each traveler included on a MILAIR request to assess whether the individual has legitimate official business.⁷⁴ For example, it would likely be reasonable, given his mission requirements, for MG Tressel to travel with his Executive Officer (XO) or Aide, G3, the country desk officer for Georgia, and his communications sergeant. Conversely, it likely would not be reasonable for MG Tressel to assert that he needs to bring six members of his servicing Office of the Staff Judge Advocate. Again, JAs should be prepared to ask hard questions of requestors about the schedule of events and why each

⁶⁷ DoDD 4500.56, *supra* note 7, encl. 3, para. 3c.

⁶⁸ Professional Experience, *supra* note 20.

⁶⁹ OMB A-126, *supra* note 5, Attachment A.

⁷⁰ Professional Experience, *supra* note 20.

⁷¹ *Id.*

⁷² AD 2017-05, *supra* note 317, para. 5b(2).

⁷³ OMB A-126, *supra* note 5, Attachment A.

⁷⁴ OMB A-126, *supra* note 5, Attachment A.

traveler's participation is required when reviewing a MILAIR request for cost-effectiveness.⁷⁵

As detailed in Part IV below, the Combatant Commands (CCMD) play a significant role in the MILAIR process. A CCMD publication may add policy guidance or additional administrative requirements, and JAs must be sure to consult any publications from their CCMD before reviewing requests in their area of operations (AO).⁷⁶ For example, the U.S. European Command (USEUCOM) Instruction on MILAIR requires, "lost time shall be computed using the current FY DoD Military Personnel Composite Standard Pay and Reimbursement Rate via an hourly computation."⁷⁷ While this method for computing lost time may seem intuitive, it is not required by OMB A-126 or any of the relevant DoD or Army publications.⁷⁸ Thus, for MG Tressel's request, he would calculate the lost time for each person in the travel party by multiplying the number of lost hours by the rate calculated by OMB for FY19.⁷⁹

To justify the use of MILAIR on the basis of cost-effectiveness, the requestor must document that the cost of MILAIR is less than the cost of commercial transportation.⁸⁰ Take, for example, MG Tressel's travel from T'bilisi, Georgia, to Oberammergau, Germany. The cost of each traveler's commercial flight is \$1,074.80 (plus \$48 booking fee) and the use of COMAIR results in 4.39 lost hours per traveler.⁸¹ Thus, the total cost of COMAIR for five travelers is \$8,124.38 versus a total MILAIR cost of

⁷⁵ AR 27-26, *supra* note 38, r. 2.1.

⁷⁶ For example, U.S. European Command's (USEUCOM) instruction on MILAIR parrots the definition of "mission requirements" already discussed from OMB A-126 and DoDI 4500.43. U.S. EUROPEAN COMMAND, INSTRUCTION 3207.01, MILITARY AIRLIFT POLICIES AND PROCEDURES para. 5(e) (5 Mar. 2015) [hereinafter ECI 3207.01] (on file with the author); OMB A-126, *supra* note 5, para. 5b; DoDI 4500.43, *supra* note 10, Glossary. Also, I would be remiss if I did not thank members of the Military and Civil Law Division at U.S. Army Europe for their help acquiring the MILAIR publications relevant to USEUCOM—MAJ Shawn Atkins, CPT Kelsey Mowatt-Larssen, SGT Ebony Harris, SGT Veape Milo, and Mrs. Jennifer Serakas.

⁷⁷ ECI 3207.01, *supra* note 76, para. 7a(7).

⁷⁸ See *supra* notes 5, 6, 7, and 10.

⁷⁹ ECI 3207.01, *supra* note 76, para. 7a(7); Memorandum from Mary E. Tompkey, Assistant Deputy Comptroller, Office of Under Sec'y of Def. to Dir., Health & Fin. Policy, Office of Assistant Sec'y of Defense (Health Affairs), et al., subject: Fiscal Year (FY) 2019 Department of Defense (DoD) Military Personnel Composite Standard Pay and Reimbursement Rates (30 Mar. 2018) [hereinafter Personnel Reimbursement Rates].

⁸⁰ OMB A-126, *supra* note 5, para. 8a(ii).

⁸¹ See *infra* Appendix A.

\$7,496 (four flight hours x \$1,874 hourly rate).⁸² If the requestor is seeking a fixed wing asset, the requestor has sufficient data to complete the request. But, what if the request is for a rotary wing asset?

C. “Get to the Choppa!”⁸³

The previous paragraphs contemplate a request for a fixed wing asset, though it is not uncommon for travelers to request movement on a rotary wing asset. While all the justifications for MILAIR that have previously been discussed are still applicable, there is enhanced scrutiny and additional requirements on requests for rotary wing aircraft due to the high cost of operating a rotary wing asset. Indeed, each flight hour in a UH-60 (Blackhawk) costs \$4,587, while an hour in a CH-47 (Chinook) costs a whopping \$6,489.⁸⁴

Although OMB A-126 is silent on specific rules for rotary wing MILAIR requests, DoDD 4500.56 lays the foundation for additional scrutiny with respect to rotary wing MILAIR requests. It states, “[r]otary wing aircraft will be used only when the use of ground transportation would have a significant adverse impact on the ability of a senior official to effectively accomplish the purpose of the official travel. This policy applies to all officers and employees of the Department of Defense.”⁸⁵ The SecArmy travel policy echoes the requirement for requestors to demonstrate that ground transportation would have a “significant adverse impact” on mission accomplishment.⁸⁶

As previously noted, JAs must ensure they reference Combatant Command (COCOM) guidance when reviewing MILAIR requests. For example, USEUCOM reiterates the policy that ground transportation must be used vice rotary wing assets unless there would be a “significant adverse impact on the ability of a senior official to effectively accomplish the purpose of the official travel.”⁸⁷ European Command goes on to require, “[f]or rotary-wing aircraft, the justification must include a clear

⁸² *Id.* A-5.

⁸³ PREDATOR (Twentieth Century Fox 1987). Arnold Schwarzenegger’s character, Major “Dutch” Schaefer, famously gives this order as he attempts to rescue a group of people from an extra-terrestrial being in a South American jungle.

⁸⁴ Aircraft Reimbursable Rates Memo, *supra* note 533.

⁸⁵ DoDD 4500.56, *supra* note 7, para. 4k.

⁸⁶ AD 2017-05, *supra* note 7, para. 6a.

⁸⁷ ECI 3207.01, *supra* note 76, para. 6q.

explanation of why ground transportation cannot be used to meet mission requirements.”⁸⁸ Now, well-versed in the standards for justifying a MILAIR request, JAs can turn their attention to ensuring the request is documented appropriately.

D. Documenting Requests

Upon reviewing a MILAIR request for administrative use, the first document JAs will see is Department of Defense (DD) Form 2768, which will include the names and justifications for all the travelers.⁸⁹ Pursuant to DoDD 4500.56, “[a]ll requests for the use of government aircraft for other official travel must be signed by the senior traveler.”⁹⁰ The SecArmy travel policy adds, “[u]nder no circumstances will a MILAIR flight be formally scheduled without the senior traveler’s signature (actual or digital) included on the appropriate request form. Further, the documented senior traveler must be onboard the requested aircraft or the scheduling agency may cancel the mission.”⁹¹ As with all travel, the requestor must include a certification statement, “specifying that alternate means, such as Secure Video-Teleconference or other Web-based communication are insufficient to accomplish travel objectives.”⁹²

In addition to DD Form 2768, JAs should expect to see a fair amount of documentation supporting any MILAIR request. Documents should include the traveler’s schedule, dates, times, and costs times of commercial travel options, and time estimates for transfers (e.g., Google Maps time estimate for travel from official duty location to the servicing airport.)⁹³ Thus, depending on a requestor’s justification for MILAIR, the requestor will need to submit documentation demonstrating why his or her schedule cannot accommodate commercial transportation options or why MILAIR is more cost-effective than commercial options.⁹⁴

In the case of MG Tressel’s proposed travel, the CCMD has promulgated specific guidance for how he must satisfy the documentation

⁸⁸ *Id.* para. 7a(2)(c)5.

⁸⁹ U.S. Dep’t of Def., DD Form 2768, Military Air Passenger/Cargo Request, (Mar. 1998).

⁹⁰ DoDD 4500.56, *supra* note 7, encl. 3, para. 3b.

⁹¹ AD 2017-05, *supra* note 7, para. 1f.

⁹² JTR, *supra* note 41, para. 010104A.

⁹³ OMB A-126, *supra* note 5, para. 12.

⁹⁴ *Id.*

requirements in OMB A-126. For example, if MG Tressel asserts that MILAIR is required because commercial air cannot meet his travel requirements, “a description of the travel itinerary must be submitted with the request that includes details on why commercial air cannot meet mission requirements.”⁹⁵ Should MG Tressel attempt to justify MILAIR on the basis of cost, he would need to complete USEUCOM’s lost time worksheet, which accounts for differences in time and cost for commercial air and MILAIR, and, to the extent he relies upon those differences, provide documentation for them.⁹⁶ For example, the request for MG Tressel’s second leg of travel from T’bilisi, Gernmay, to Oberammergau, Germany, would account for the difference in travel time to his TDY location from the airfield utilized by MILAIR (i.e., 0.66 hours from Altenstadt to Oberammergau) versus the travel time from the commercial airport (i.e. 1.80 hours from Munich to Oberammergau).⁹⁷ Major General Tressel’s staff could document this temporal difference with screenshots from Google Maps or another online map service.⁹⁸

It is worth noting that not all times associated with travel can be documented. For example, the time required for check-in at the airport, customs, or claiming baggage, will likely be based on the requestor’s, and JA’s, responsible judgment.⁹⁹ With a complete and sufficient MILAIR packet in hand, a JA need only determine who the proper approval authority is.

IV. Who Can Say Yes?

Properly categorizing MILAIR as “operational” or “administrative” has a significant impact on the request’s approval level. Indeed, “operational” flights have a relatively low approval level, while “administrative” flights require general officer approval. Knowing the

⁹⁵ ECI 3207.01, *supra* note 76, para. 7a(2)(c)3.

⁹⁶ USEUCOM’s lost time worksheet is a fillable spreadsheet with the Office of Management and Budget reimbursement rates for aircraft and personnel preloaded. It allows requestors to easily compare cost variances for commercial air and MILAIR.

⁹⁷ *See infra* Appendix A.

⁹⁸ OMB A-126, *supra* note 5, para. 12.

⁹⁹ JTR, *supra* note 41, para. 010102 (“The guiding principle behind the JTR is to travel responsibly. The word ‘responsibly’ means that the traveler exercises the same care in incurring expenses for Government travel that a prudent person would exercise if traveling at personal expense.”); *see also* AR 27-26, *supra* note 38, r. 2.1.

proper approval authority allows JAs and staffs to streamline the MILAIR process.

A. Operational Use

Conspicuous in its absence from OMB A-126 and DoD publications is any discussion of approval levels for operational MILAIR requests. Thankfully, Army publications offer some insight on the matter. Chapter 2 of AR 95-1 discusses aviation management and defines “final mission approval authority” as:

Members of the chain of command who are responsible for accepting the risk and approving all aviation operations (ground and air) within their unit. They approve missions for a specific risk level. Final mission approval authorities may only approve those missions whose assessed risk level is commensurate with their command level. Commanders in the grade of O-5 and above will select final mission approval authorities from the chain of command and designate them in writing along with the level of risk (low, moderate, high, extremely high) they are authorized to approve. At a minimum, company level commanders and below are the final mission approval authority for low-risk missions, battalion level commanders and above for moderate-risk missions, brigade level commanders and above for high-risk missions, and the first general officer in the chain of command for extremely high-risk missions. Approval authorities are based upon levels of command authority and not rank.¹⁰⁰

Application of the AR 95-1, paragraph 2-14, standard makes intuitive sense, as it would be unduly burdensome to apply administrative use approval standards to, for example, every training flight that is scheduled. Indeed, SecArmy suggests as much in Army Directive 2017-05, noting the policy, “does not apply to ‘operational mission’ use of rotary-wing aircraft as defined in AR 95-1, or to mission-required use such as . . . exercising command or supervisory authority at adjacent or local installations, and

¹⁰⁰ AR 95-1, *supra* note 6, para 2-14a(3).

other such activities.”¹⁰¹ Thus, the approval authority for “operational” flights lies with a commander within the unit that owns the aircraft, commensurate with the assessed level of risk.¹⁰² The approval authority for administrative use is not convenient.

B. Administrative Use

As a general rule, MILAIR requests for administrative use must be approved “one organizational level above” the senior traveler.¹⁰³ That said, approval authority for administrative use is still relatively high. The DoD established that Combatant Commanders shall, “review and approve government air requests from DoD senior officials within their respective commands,” and gives the Combatant Commander the ability to delegate this authority.¹⁰⁴ Thus, JAs will need to determine if their Combatant Commander has delegated their approval authority and if that delegation allowed further delegation from the Army Service Component Command (ASCC).

Let us revisit MG Tressel’s administrative use request once more. Absent a delegation, the approval authority for his request would lie with the Commander, USEUCOM. However, Commander, USEUCOM, has delegated his approval authority to U.S. Army Europe (USAREUR), and given the CG, USAREUR, the authority to further delegate.¹⁰⁵ Thus, MG Tressel’s MILAIR request may be approved by the CG, USAREUR, or his delegee.¹⁰⁶ It is worth highlighting that in the case of the USEUCOM, delegation may not be “below the two-star or civilian equivalent level.”¹⁰⁷ As such, even if the JA’s ASCC has received delegated authority from the CCMD, it is possible that the ASCC is limited in its ability to further

¹⁰¹ AD 2017-05, *supra* note 7, para. 6b.

¹⁰² AR 95-1, *supra* note 6, para 2-14a(3).

¹⁰³ OMB A-126, *supra* note 5, para. 11a; *see also* DoDD 4500.56, *supra* note 7, para. 4e; AD 2017-05, *supra* note 7, para. 1g.

¹⁰⁴ DoDD 4500.56, *supra* note 7, para. 11c.

¹⁰⁵ Memorandum from General Curtis M. Scaparrotti, Commander, U.S. Europe Command to Commander, U.S. Naval Forces Europe, et al., subject: Delegation of Military Air Transportation Approval Authority (23 June 2016) [hereinafter EUCOM Delegation Memo].

¹⁰⁶ *Id.* para. 2. It should also be noted that the ability of the CG, U.S. Army Europe’s delegee to approve MG Tressel’s request is contingent upon that individual being one organizational level higher than MG Tressel. *See* OMB A-126, *supra* note 5, para. 11a; *see also* DoDD 4500.56, *supra* note 7, para. 4e; AD 2017-05, *supra* note 7, para. 1g.

¹⁰⁷ EUCOM Delegation Memo, *supra* note 105.

delegate. Here, MG Tressel's request would likely require approval by a general officer at the ASCC.

V. Conclusion

Judge Advocates in the field can earn the trust and confidence of their commanders through effective navigation of the MILAIR labyrinth. When appropriate, categorizing MILAIR use as operational can streamline approval processes and allow travelers to move out quickly on a task. Understanding the justifications for administrative MILAIR—commercial service is not reasonably available or it is more cost-effective than commercial transportation—and how travelers should document their requests will allow JAs to assist their command's planner and complete a legal review quickly. The use of MILAIR, whether operational or administrative, can create efficiencies for travelers, and, ultimately, ensure units accomplish their mission.

Appendix A. Sample MILAIR Packet

MILITARY AIR PASSENGER/CARGO REQUEST				
<i>NOTE: Keep this data on file for two years after submission date.</i>				
1. SELECT APPLICABLE TRAVEL STATEMENT:				
	PRIORITY 1	Direct support of operational forces engaged in combat <u>or</u> contingency peace-keeping operations directed NCA, <u>or</u> for emergency lifesaving purposes.		
<input checked="" type="checkbox"/>	PRIORITY 2	"Required use" travel <u>or</u> compelling operational considerations making commercial transportation unacceptable (within 24 hours). Mission cannot be satisfied by any other mode of travel. Requester should provide a 2-hour window for departure and arrival times to allow consolidation of missions per DoD Directive 4500.43.		
<input type="checkbox"/>	PRIORITY 3	Official business travel which when consolidated by JOSAC with other travelers, is more cost effective than commercial air travel or official business travel on previously scheduled missions. Requester must provide at least a 2-hour window for departure and arrival times to allow consolidation of missions per DoD Directive 4500.43.		
2. PURPOSE OF TRAVEL				
a. PUJC CODE	b. COMPLETE MISSION DESCRIPTION MG Tressel and his party will depart Wiesbaden on 1 April to participate in the 2CR ROC drill, conduct meetings with the Georgian Minister of Defense and U.S. Ambassador to Georgia from 2 - 4 April, and participate in the CTC at Oberammergau on 5 April.			
3. TOTAL NUMBER OF PAX	c. PRIORITY 2 COMPELLING CONSIDERATIONS AND REASON COMMERCIAL TRAVEL UNACCEPTABLE Commercial travel does not meet the timeline requirements for MG Tressel's itinerary and is more expensive.			
5				
4. SENIOR TRAVELER				
a. NAME (Last, First, Middle Initial)	b. GRADE/OV CODE	c. DUTY TITLE	d. BRANCH OF SERVICE	
TRESSEL, JACK	O-8/MG	Commander, V Corps	ARMY	
5. ADDITIONAL PASSENGERS (Note: Required only for DV 7 or higher)				
a. NAME (Last, First, Middle Initial)	b. GRADE/OV CODE	c. DUTY TITLE	d. BRANCH OF SERVICE	
Day, Justin	O-6/COL	G3, V Corps	ARMY	
Gunn, Rodrigo	O-4/MAJ	Country Desk Officer, Georgia	ARMY	
Doss, Stephanie	O-3/CPT	CG Aide, V Corps	ARMY	
6. DESIRED FLIGHT ITINERARY				
	a. DEPARTURE ICAO	b. DEPART DATE/TIME (Z)MO/YR (+/- 2 hrs) <i>(Example: 25/1200 DEC 09 (1400))</i>	c. ARRIVAL ICAO	d. ARRIVE DATE/TIME (Z)MO/YR (+/- 2 hrs) <i>(Example: 25/1200 DEC 09 (1400))</i>
(1) LEG 1	GAAF	01/1700Z/APR/19	UGTB/TBILISI	02/1200Z/APR/19
(2) LEG 2	UGTB/TBILISI	04/1400Z/APR/19	ASAB/Altenstadt	04/1800Z/APR/19
(3) LEG 3	ASAB/Altenstadt	05/1800Z/APR/19	ETOU/WIESBA	05/1900Z/APR/19
7. COST OF COMMERCIAL TRAVEL (Transportation, additional per diem, lost time, etc.)				
a. LEG 1	b. LEG 2	c. LEG 3	d. TIMES NO. OF PASSENGERS	e. EQUALS TOTAL COST
1,794.65	1,784.43	919.46	5	22,492.69
8. CARGO TRANSPORTATION (Cargo acceptors and handlers are required at destination airfield.)				
a. CARGO DESCRIPTION				
b. LARGEST ITEM DIMENSIONS	c. HEAVIEST ITEM DIMENSIONS/WEIGHT	d. TOTAL WEIGHT	e. TOTAL CUBIC FEET	
e. SPECIAL HANDLING REQUIREMENTS (Explain)				

9. POINT OF CONTACT (Must be able to contact traveler(s) before departure and after arrival in case of delay(s) or cancellation(s))				
	a. NAME (Last, First, Middle Initial)	b. GRADE	c. DUTY PHONE (DSN/Commercial)	d. AFTER HOURS (DSN/Commercial)
(1) DEPARTURE	DOSS, STEPHANIE	O-3	(614) 149-2002	+4920021493124
(2) ARRIVAL	DOSS, STEPHANIE	O-3	(614) 149-2002	+4920021493124
10. NON-DV PASSENGERS				
	a. NAME (Last, First, Middle Initial)	b. GRADE	c. DUTY TITLE	d. BRANCH OF SERVICE
11. REMARKS/ADDITIONAL COMMENTS				
<p>* LEG 1: On 1 April, MG Tressel, along with the CG, USAREUR, will be participating in a ROC drill for 2CR's road march to Poland in summer 2019. The ROC drill will end at 1700. MG Tressel's first obligation in T'bilisi on 2 April is a meeting at the Embassy with the ODC at 0900, followed by a meeting with the Ambassador at 1000. The latest available commercial flight on 1 April is at 1845 from Nuremberg. This flight does not allow enough time for MG Tressel to participate in the ROC drill, travel to Nuremberg, and check-in for his flight. There are no commercial flights available on 2 April that will allow MG Tressel make his meetings at the Embassy. MILAIR is required for leg 1.</p> <p>* LEG 2: On 4 April, MG Tressel travels from T'bilisi, Georgia to Oberammergau, Germany in order to participate in the NATO Combined Training Conference. MG Tressel's final obligation in Georgia is an out-brief with the ODC at 1100. While COMAIR is available, it is more expensive than MILAIR. MILAIR cost is \$7,496, while the cost of COMAIR is \$7,955.06. See attached lost time calculator for Leg 2.</p> <p>* LEG 3: On 5 April, MG Tressel travels from Oberammergau, Germany to Wiesbaden, Germany. The aircraft's home station is in Wiesbaden, thus the only cost for this flight is the cost of keeping the aircrew TDY in Oberammergau for one day (\$662.00). Conversely, the cost of COMAIR is \$5,863.18. Additionally, the cost lost time for driving the four hours from Oberammergau to Heidelberg (over \$2,000) is more than the cost of MILAIR (\$662.00). Thus, MILAIR is more cost-effective than other means of transportation.</p> <p>* Pax justification: CPT Doss is the Aide for MG Tressel. CSM Krenzel is the CSM of V Corps and has observed V Corps operations in Georgia. COL Hayes is the V Corps G3 and intimately involved in our training efforts in Georgia and with our NATO allies. MAJ Gunn, as desk officer, has extensive knowledge of Georgia and will assist at the CTC with integrating our Georgian partners into NATO exercises.</p> <p>* CSM Megan Krenzel, V Corps, will also be a passenger for all legs.</p> <p>* Alternate means, such as Secure Video Teleconference (SVTC) or other web-based comms are not sufficient to accomplish travel objectives.</p> <p>* MG Tressel certifies the least expensive unrestricted economy flight using SATO for the dates and destinations requested within this document. Requester certifies that by signing block 12f, that the amounts provided within this request are the same as provided by SATO.</p> <p>* Requirements LAW DOD 4500.56, AD 2017-05 and AR 95-1 have been met.</p>				
12. REQUESTER				
	a. NAME (Last, First, Middle Initial) DOSS, STEPHANIE	b. GRADE O-3	c. DUTY TITLE CG Aide, V Corps	d. OFFICE SYMBOL
	e. DUTY TELEPHONE (DSN/Commercial) (614) 149-2002	f. SIGNATURE		g. DATE
h. PLAIN LANGUAGE ADDRESS (PLAD)				
13. TRAVEL AUTHORIZING OFFICIAL (As appointed by Service)				
	a. NAME (Last, First, Middle Initial) HAYES, JAMES	b. GRADE O-9	c. DUTY TITLE CG, USAREUR	d. OFFICE SYMBOL
	e. DUTY TELEPHONE (DSN/Commercial) (614) 643-1968	f. SIGNATURE		g. DATE
14. SENIOR TRAVELING PASSENGER (Signature may not be delegated)				
	a. NAME (Last, First, Middle Initial) TRESSEL, JACK	b. GRADE O-8	c. DUTY TITLE CG, V Corps	d. OFFICE SYMBOL
	e. DUTY TELEPHONE (DSN/Commercial) (614) 149-3124	f. SIGNATURE		g. DATE

DD FORM 2768 (BACK), MAR 1998

Reset

FOR EDUCATIONAL PURPOSES ONLY

DD 2768 Smart Page							
Fill out the sections highlighted in yellow on each spreadsheet Enter the final costs below in sections 6, 7, & 11 into the appropriate sections of the DD2768							
Military Aircraft Type:	C-12	Total Military Airlift Flight Time:	9	Total Military Airlift Cost:	\$16,866.00		
Desired Flight Itinerary							
	a. Departure ICAO	b. Depart Date/Time (Z)/Mo/Yr (+/- 2 hrs)	c. Arrival ICAO	d. Arrive Date/Time (Z)/Mo/Yr (+/- 2 hrs)			
(1) Leg 1	GAAF/GRAFENWOEHR	01/1700Z/APR/19	UGTB/TBILISI	02/1200Z/APR/19			
(2) Leg 2	UGTB/TBILISI	04/1400Z/APR/19	ASAB/ALTENSTADT	04/1800Z/APR/19			
(3) Leg 3	ASAB/ALTENSTADT	05/1800Z/APR/19	ETOU/WIESBADEN	05/1900Z/APR/19			
(4) Leg 4							
(5) Leg 5							
(6) Leg 6							
7. Cost of Commercial Travel							
Enter the amounts in blocks a. through c. below in the DD 2768 to four decimal places. The PDF will round the amounts and accurately determine the total cost.							
a. Leg 1	b. Leg 2	c. Leg 3	d. Leg 4	e. Leg 5	f. Leg 6	g. No. of Pax	e. Equals Total Cost
\$1,847.1040	\$1,624.8760	\$1,172.4360	\$0.0000	\$0.0000	\$0.0000	5	\$23,222.08
11. Remarks / Additional Comments							
- TOTAL COMM AIR COST for 5 PAX: \$23222.08 = \$14296.00 (Airline Tickets) + \$8446.08 (Lost Time) + \$480.00 (Additional Costs)							
- TOTAL MILAIR COST: \$16866.00 = 9.00 hrs flight time X \$1874/hr for C-12							

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Leg 1 Information					
Scroll Down for Additional Costs Calculator					
Dept ICAO	WAAF/WIESBADEN			Arrival ICAO	GAAF/GRAFENWOEHR
Date (ddmmmyy)	1-Apr-2019			Date (ddmmmyy)	1-Apr-2019
Time (z)	0915L			Time (z)	0945L
Traveler Information					
Pay Grade	Name	Commercial Ticket Cost	Lost Time Cost	Total Cost Per Passenger - Leg 1	Important info: Enter information in yellow cells. The spreadsheet will use the Pay grade and Lost Time Calculator to determine the Lost Time Cost for each passenger. Select 'Civ' under Pay Grade in order to set a Lost Time Cost to \$0.00. Scroll down to see the Additional Costs Calculator.
O-9/E51V	TRESSEL, JACK	\$1,021.40	\$1,097.38	\$2,118.78	
O-4/G515	DAY, JUSTIN	\$1,021.40	\$893.96	\$1,915.36	
O-4/G513	GINN, RODRIGO	\$1,021.40	\$691.02	\$1,712.42	
O-3/G512	DOSS, STEPHANIE	\$1,021.40	\$571.34	\$1,592.74	
E-5/G504	KRENZEL, MEGAN	\$1,021.40	\$332.52	\$1,353.92	
				\$240.00	Additional Costs - Leg 1
				\$8,973.24	Total Cost - Leg 1
Lost Time Calculator - Leg 1					
	GROUND	MILAIR	Justification		
Travel duration from Home/TDY location to airport:	1.25	0.25			
Check-in duration:	3.00	0.25			
Total flight duration:	6.30	4.00			
Baggage pickup duration (COMAIR only):	1.00	0.25			
Travel duration from airport to TDY/Home location:	0.75	0.75			
Total lost time:	12.30	5.50			
Difference in lost time for this leg:		6.80			
Additional Costs Calculator - Leg 1					
Additional Costs	Cost	Justification			
Extra baggage:	50.00				
Extra lodging:	50.00				
Extra per diem:	50.00				
Rental car:	50.00				
Parking:	50.00				
Mileage:	50.00				
Taxis:	50.00				
SATO Fee:	\$240.00	\$48 per traveler			
Other:	50.00				
Other:	50.00				
Other:	50.00				
Total:	\$240.00				

FOR EDUCATIONAL PURPOSES ONLY

FOR EDUCATIONAL PURPOSES ONLY

Leg 2 Information						
Scroll Down for Additional Costs Calculator						
Dept (ICAO)	UGTB				Arrival ICAO	ASAB
Date (ddmmyy)	4-Apr-2019				Date (ddmmyy)	4-Apr-2019
Time (z)	1400Z				Time (z)	1800Z
Traveler Information						
Pay Grade	Name	Commercial Ticket Cost	Lost Time Cost	Total Cost Per Passenger - Leg 1	Important Info: Enter information in yellow cells. The spreadsheet will use the Pay Grade and Lost Time Calculator to determine the Lost Time Cost for each passenger. Select 'Civ' under Pay Grade in order to set a Lost Time Cost to 50.00. Scroll down to see the Additional Costs Calculator.	
O-8/ES IV	TRESSEL, JACK	\$1,074.80	\$708.46	\$1,783.26		
O-6/GS15	DAY, JUSTIN	\$1,074.80	\$602.97	\$1,677.77		
O-4/GS13	GINN, RODRIGO	\$1,074.80	\$446.11	\$1,520.91		
O-3/GS12	DOSS, STEPHANIE	\$1,074.80	\$368.85	\$1,443.65		
E-5/GS04	KRENZEL, MEGAN	\$1,074.80	\$214.67	\$1,289.47		
					\$240.00	Additional Costs - Leg 2
					\$7,955.06	Total Cost - Leg 2
Lost Time Calculator - Leg 2						
	COMMAIR	MILAIR	Justification			
Travel duration from Home/TDY location to airport:	0.75	0.75				
Check-in duration:	3.00	0.50				
Total flight duration:	4.00	4.00				
Baggage pickup duration (COMAIR only):	1.00	0.25				
Travel duration from airport to TDY/Home location:	1.80	0.66				
Total lost time:	10.55	6.16				
Difference in lost time for this leg:	4.39					
Additional Costs Calculator - Leg 2						
Additional Costs	Cost	Justification				
Extra baggage:	50.00					
Extra lodging:	50.00					
Extra per diem:	50.00					
Rental car:	50.00					
Parking:	50.00					
Mileage:	50.00					
Taxis:	50.00					
SATO Fee:	\$240.00	548 per traveler				
Other:	50.00					
Other:	50.00					
Other:	50.00					
Total:	\$240.00					

FOR EDUCATIONAL PURPOSES ONLY

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Leg 3 Information					
Scroll Down for Additional Costs Calculator					
Dept ICAO	ASAB			Arrival ICAO	ETOU
Date (ddmmmy)	5-Apr-2019			Date (ddmmmy)	5-Apr-2019
Time (z)	1900Z			Time (z)	1900Z
Traveler Information					
Pay Grade	Name	Commercial Ticket Cost	Lost Time Cost	Total Cost Per Passenger - Leg 3	Important info: Enter information in yellow cells. The spreadsheet will use the Pay Grade and Lost Time Calculator to determine the Lost Time Cost for each passenger. Select 'Civ' under Pay Grade in order to set a Lost Time Cost to \$0.00. Scroll down to see the Additional Costs Calculator.
O-6/ES IV	TRESSEL JACK	\$763.00	\$577.74	\$1,340.74	
O-6/GS15	DAY JUSTIN	\$763.00	\$491.71	\$1,254.71	
O-4/GS13	GINN, RODRIGO	\$763.00	\$363.80	\$1,126.80	
O-3/GS12	DOSS, STEPHANIE	\$763.00	\$300.79	\$1,063.79	
E-9/GS08	KRENZEL MEGAN	\$764.00	\$313.14	\$1,077.14	
				50.00	Additional Costs - Leg 3
				\$5,863.18	Total Cost - Leg 3
Lost Time Calculator - Leg 3					
	COMMAIR	MILAIR	Justification		
Travel duration from Home/TDY location to airport:	0.75	0.75			
Check-in duration:	3.00	0.50			
Total flight duration:	4.00	4.00			
Baggage pickup duration (COMAIR only):	1.00	0.25			
Travel duration from airport to TDY/Home location:	0.33	0.00			
Total lost time:	9.08	5.50			
Difference in lost time for this leg:	3.58				
Additional Costs Calculator - Leg 3					
Additional Costs	Cost	Justification			
Extra baggage:	50.00				
Extra lodging:	\$406.00	\$203/night for two crew members			
Extra per diem:	\$256.00	\$128/day for two crew members			
Rental car:	50.00				
Parking:	50.00				
Mileage:	50.00				
Taxis:	50.00				
SATO Fee:	50.00				
Other:	50.00				
Other:	50.00				
Other:	50.00				
Total:	\$662.00				

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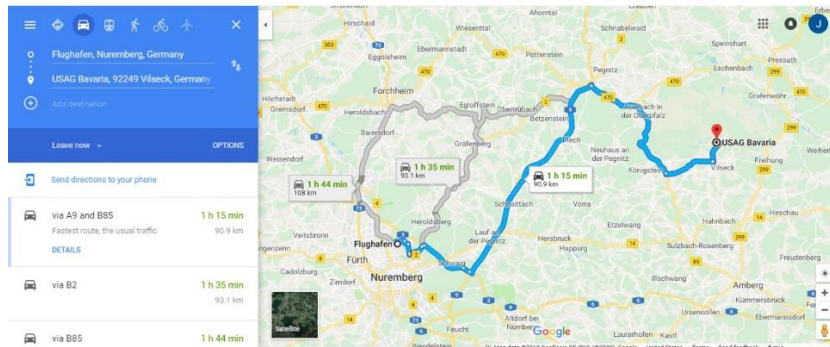
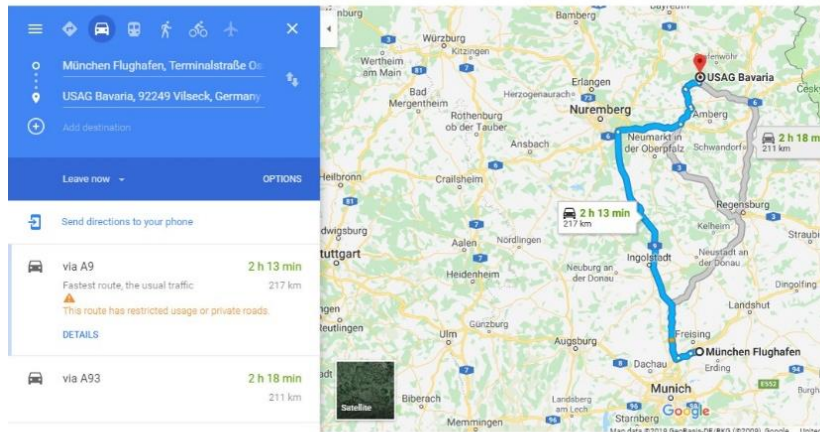
LEG 1: Grafenwoehr to T'bilisi

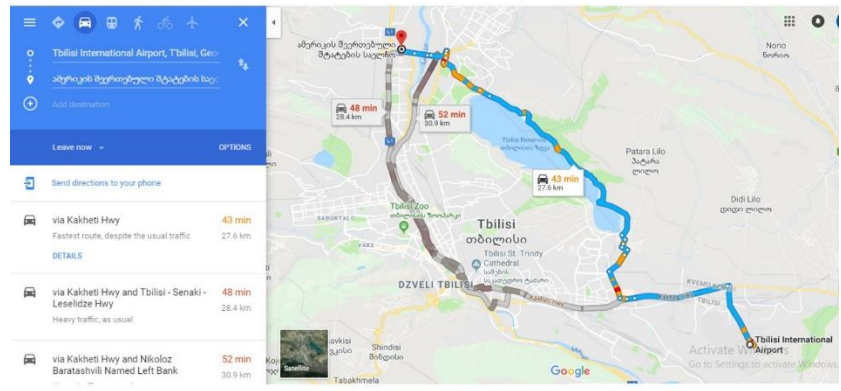
1 April Flights to T'bilisi

<p>MUC 7:04 AM → TBS 5:25 PM TOTAL DURATION 10h 21m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$695.50</p> <p>Select Flight</p>	<p>MUC 6:39 PM → TBS 4:39 AM TOTAL DURATION 10h 0m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1032.40</p> <p>Select Flight</p>	<p>MUC 6:45 PM → TBS 4:30 AM TOTAL DURATION 10h 45m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1021.40</p> <p>Select Flight</p>
<p>MUC 12:18 PM → TBS 2:48 AM TOTAL DURATION 13h 30m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$992.00</p> <p>Select Flight</p>	<p>MUC 2:45 PM → TBS 2:45 AM TOTAL DURATION 12h 0m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1032.40</p> <p>Select Flight</p>	<p>MUC 6:45 PM → TBS 4:30 AM TOTAL DURATION 10h 45m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1021.40</p> <p>Select Flight</p>
<p>MUC 10:18 AM → TBS 3:48 AM TOTAL DURATION 13h 30m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$992.00</p> <p>Select Flight</p>	<p>MUC 2:45 PM → TBS 2:45 AM TOTAL DURATION 12h 0m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1032.40</p> <p>Select Flight</p>	<p>MUC 6:45 PM → TBS 4:30 AM TOTAL DURATION 10h 45m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1021.40</p> <p>Select Flight</p>
<p>MUC 7:24 AM → TBS 4:25 PM TOTAL DURATION 10h 1m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1032.40</p> <p>Select Flight</p>	<p>MUC 6:39 PM → TBS 4:39 AM TOTAL DURATION 10h 0m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1032.40</p> <p>Select Flight</p>	<p>MUC 6:45 PM → TBS 4:30 AM TOTAL DURATION 10h 45m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1021.40</p> <p>Select Flight</p>
<p>MUC 1:04 PM → TBS 11:45 AM TOTAL DURATION 10h 41m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1032.40</p> <p>Select Flight</p>	<p>MUC 6:39 PM → TBS 4:39 AM TOTAL DURATION 10h 0m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1032.40</p> <p>Select Flight</p>	<p>MUC 6:39 PM → TBS 4:30 AM TOTAL DURATION 10h 51m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1490.00</p> <p>Select Flight</p>
<p>MUC 6:39 PM → TBS 4:39 AM TOTAL DURATION 10h 0m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1032.40</p> <p>Select Flight</p>	<p>MUC 4:35 PM → TBS 4:05 AM TOTAL DURATION 10h 30m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1414.40</p> <p>Select Flight</p>	

2 APR T'BILISI Flights

<p>MUC 5:06 AM → TBS 2:50 PM TOTAL DURATION 10h 44m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1728.00</p> <p>Select Flight</p>	<p>MUC 11:25 AM → TBS 3:05 AM TOTAL DURATION 10h 40m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1021.40</p> <p>Select Flight</p>
<p>MUC 7:25 AM → TBS 4:25 PM TOTAL DURATION 10h 0m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1032.40</p> <p>Select Flight</p>	<p>MUC 11:30 AM → TBS 4:05 AM TOTAL DURATION 10h 35m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1490.00</p> <p>Select Flight</p>
<p>MUC 10:06 AM → TBS 10:45 PM TOTAL DURATION 12h 39m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1043.80</p> <p>Select Flight</p>	<p>MUC 11:30 AM → TBS 4:05 AM TOTAL DURATION 10h 35m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1490.00</p> <p>Select Flight</p>
<p>MUC 11:30 AM → TBS 12:30 AM TOTAL DURATION 13h 0m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1809.40</p> <p>Select Flight</p>	<p>MUC 11:30 AM → TBS 4:05 AM TOTAL DURATION 10h 35m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1490.00</p> <p>Select Flight</p>
<p>MUC 10:18 AM → TBS 2:00 AM TOTAL DURATION 13h 12m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$992.00</p> <p>Select Flight</p>	<p>MUC 11:30 AM → TBS 4:30 AM TOTAL DURATION 10h 0m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1021.40</p> <p>Select Flight</p>
<p>MUC 10:06 AM → TBS 3:05 AM TOTAL DURATION 12h 59m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$1032.40</p> <p>Select Flight</p>	<p>MUC 10:25 AM → TBS 3:50 AM TOTAL DURATION 12h 25m</p> <p>Other Route: Fast Route</p> <p>TOTAL COST: \$980.40</p> <p>Select Flight</p>





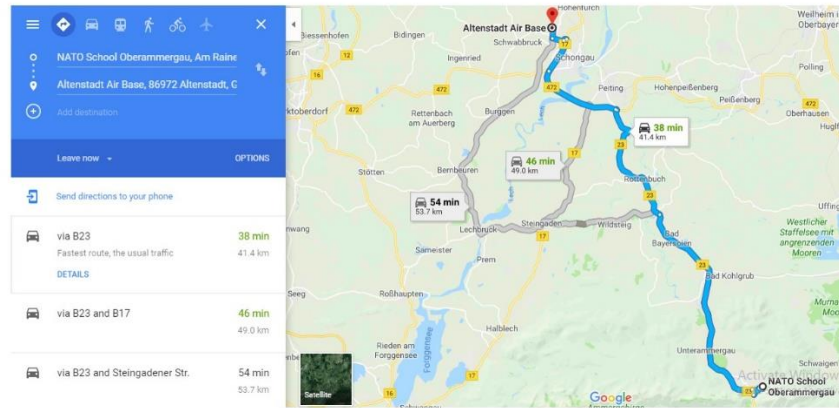
LEG 2: T'bilisi to Oberammergau

Flights to Oberammergau, 5 APR

TES 5:05 AM → MUC 7:10 AM Other Route TOTAL COST: \$1708.80	TES 5:05 AM → INN 10:40 AM Other Route TOTAL COST: \$1601.90
TES 4:12 AM → MUC 7:05 AM Other Route TOTAL COST: \$806.20	TES 5:05 AM → INN 1:30 PM Other Route TOTAL COST: \$1595.00
TES 6:05 AM → MUC 12:00 PM Other Route TOTAL COST: \$806.20	TES 5:05 AM → INN 1:30 PM Other Route TOTAL COST: \$1595.00
TES 3:05 AM → MUC 7:10 AM Other Route TOTAL COST: \$1074.80	TES 5:05 AM → INN 1:30 PM Other Route TOTAL COST: \$1595.00
TES 10:40 AM → MUC 5:00 PM Other Route TOTAL COST: \$806.20	TES 5:05 AM → INN 3:30 PM Other Route TOTAL COST: \$1595.00
TES 5:20 AM → MUC 1:40 PM Other Route TOTAL COST: \$806.20	TES 5:05 AM → INN 3:30 PM Other Route TOTAL COST: \$1595.00
	TES 5:05 AM → INN 3:30 PM Other Route TOTAL COST: \$1787.00

Flights to Oberammergau, 4 APR

TES 4:10 PM → MUC 10:30 PM Other Route TOTAL COST: \$1074.80	TES 4:30 PM → INN 9:55 AM Other Route TOTAL COST: \$2366.90
TES 4:10 PM → MUC 9:00 AM Other Route TOTAL COST: \$1074.80	TES 4:30 PM → INN 1:30 PM Other Route TOTAL COST: \$2366.90
TES 4:10 PM → MUC 11:40 AM Other Route TOTAL COST: \$1074.80	TES 4:30 PM → INN 1:30 PM Other Route TOTAL COST: \$2366.90
TES 4:30 PM → MUC 9:00 PM Other Route TOTAL COST: \$1791.30	TES 4:30 PM → INN 9:55 AM Other Route TOTAL COST: \$2374.90
TES 4:30 PM → MUC 9:30 PM Other Route TOTAL COST: \$1791.30	TES 4:30 PM → INN 9:55 AM Other Route TOTAL COST: \$2383.30
TES 4:30 PM → MUC 8:50 PM Other Route TOTAL COST: \$1791.30	TES 4:30 PM → INN 9:45 PM Other Route TOTAL COST: \$2506.30



LEG 3: Oberammergau to Heidelberg

Flights to FRA, 5 APR

INN 6:30 PM → FRA 7:40 PM Non-Stop TOTAL DURATION 1h 10m Other Rate View Details TOTAL COST \$1005.40 <small>includes taxes and fees</small> Select Flight >	MUC 9:00 PM → FRA 10:00 PM Non-Stop TOTAL DURATION 1h 0m Other Rate View Details TOTAL COST \$763.00 <small>includes taxes and fees</small> Select Flight >
INN 6:30 PM → FRA 7:40 PM Non-Stop TOTAL DURATION 1h 10m Other Rate View Details TOTAL COST \$1005.40 <small>includes taxes and fees</small> Select Flight >	MUC 8:00 PM → FRA 9:00 PM Non-Stop TOTAL DURATION 1h 0m Other Rate View Details TOTAL COST \$763.00 <small>includes taxes and fees</small> Select Flight >
INN 3:30 PM → FRA 6:40 PM 1 Stop TOTAL DURATION 3h 10m Other Rate View Details TOTAL COST \$1791.90 <small>includes taxes and fees</small> Select Flight >	MUC 7:00 PM → FRA 8:00 PM Non-Stop TOTAL DURATION 1h 0m Other Rate View Details TOTAL COST \$763.00 <small>includes taxes and fees</small> Select Flight >
INN 3:30 PM → FRA 7:20 PM 1 Stop TOTAL DURATION 3h 25m Other Rate View Details TOTAL COST \$1791.90 <small>includes taxes and fees</small> Select Flight >	MUC 6:00 PM → FRA 7:00 PM Non-Stop TOTAL DURATION 1h 0m Other Rate View Details TOTAL COST \$763.00 <small>includes taxes and fees</small> Select Flight >
INN 3:30 PM → FRA 6:35 PM 1 Stop TOTAL DURATION 3h 5m Other Rate View Details TOTAL COST \$1791.90 <small>includes taxes and fees</small> Select Flight >	MUC 5:00 PM → FRA 6:00 PM Non-Stop TOTAL DURATION 1h 0m Other Rate View Details TOTAL COST \$763.00 <small>includes taxes and fees</small> Select Flight >
INN 3:30 PM → FRA 6:40 PM 1 Stop TOTAL DURATION 3h 10m Other Rate View Details TOTAL COST \$1791.90 <small>includes taxes and fees</small> Select Flight >	MUC 4:00 PM → FRA 5:00 PM Non-Stop TOTAL DURATION 1h 0m Other Rate View Details TOTAL COST \$763.00 <small>includes taxes and fees</small> Select Flight >

Flights to FRA, 6 APR

MUC 7:00 AM → FRA 11:00 AM 1 Stop TOTAL DURATION 4h 0m Other Rate View Details TOTAL COST \$632.10 <small>includes taxes and fees</small> Select Flight >	INN 10:00 AM → FRA 6:45 PM 1 Stop TOTAL DURATION 7h 45m Other Rate View Details TOTAL COST \$707.60 <small>includes taxes and fees</small> Select Flight >
MUC 9:25 AM → FRA 3:35 PM 1 Stop TOTAL DURATION 4h 10m Other Rate View Details TOTAL COST \$632.10 <small>includes taxes and fees</small> Select Flight >	INN 10:00 AM → FRA 6:45 PM 1 Stop TOTAL DURATION 7h 45m Other Rate View Details TOTAL COST \$707.60 <small>includes taxes and fees</small> Select Flight >
MUC 12:00 PM → FRA 1:00 PM Non-Stop TOTAL DURATION 1h 0m Other Rate View Details TOTAL COST \$763.00 <small>includes taxes and fees</small> Select Flight >	INN 6:35 AM → FRA 7:45 AM Non-Stop TOTAL DURATION 1h 10m Other Rate View Details TOTAL COST \$1005.40 <small>includes taxes and fees</small> Select Flight >
MUC 11:00 AM → FRA 12:00 PM Non-Stop TOTAL DURATION 1h 0m Other Rate View Details TOTAL COST \$763.00 <small>includes taxes and fees</small> Select Flight >	INN 10:25 AM → FRA 11:35 AM Non-Stop TOTAL DURATION 1h 10m Other Rate View Details TOTAL COST \$1005.40 <small>includes taxes and fees</small> Select Flight >
MUC 10:00 AM → FRA 11:00 AM Non-Stop TOTAL DURATION 1h 0m Other Rate View Details TOTAL COST \$763.00 <small>includes taxes and fees</small> Select Flight >	INN 10:25 AM → FRA 11:35 AM Non-Stop TOTAL DURATION 1h 10m Other Rate View Details TOTAL COST \$1005.40 <small>includes taxes and fees</small> Select Flight >
MUC 9:00 AM → FRA 10:00 AM Non-Stop TOTAL DURATION 1h 0m Other Rate View Details TOTAL COST \$763.00 <small>includes taxes and fees</small> Select Flight >	INN 6:35 AM → FRA 7:45 AM Non-Stop TOTAL DURATION 1h 10m Other Rate View Details TOTAL COST \$1005.40 <small>includes taxes and fees</small> Select Flight >

