



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Defense Nuclear Agency--Use of Appropriated Funds
to Pay For Enrollment of Active Duty Member of
Armed Forces in Course Entitled "Strategy of
Career Transition"

File: B-226380

Date: December 5, 1988

DIGESTS

1. The Government Employees Training Act (Act) applies to civilian employees and, by its own terms, does not apply to active duty members of the uniformed services. 5 U.S.C. § 4102(a)(1)(C). Therefore, the Act does not bear on the authority of the Defense Nuclear Agency to spend appropriated funds to enroll a Colonel on active duty in the Air Force in a course entitled "Strategy of Career Transition."

2. Under proper circumstances, outplacement assistance to employees is a legitimate matter of agency personnel administration. Therefore, appropriations for the Defense Nuclear Agency (DNA) may be available in reasonable amounts to enroll an employee in a course entitled "Strategy of Career Transition," if the DNA determines such enrollment to be a necessary expense of the agency.

DECISION

A Defense Nuclear Agency (DNA) certifying officer has requested an advance decision regarding the propriety of using funds appropriated to DNA to pay for the enrollment of an Air Force Colonel in a course entitled "Strategy of Career Transition." For the reasons given below, we conclude that such enrollment is not authorized as a training expense but that it may be authorized as a necessary expense, if the DNA administratively determines that it is necessary for the effective management of its personnel system.

BACKGROUND

An Air Force Colonel working for the DNA requested DNA funding for his enrollment in a nongovernment course entitled "Strategy of Career Transition." The DNA

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accounting and disbursing officer has requested an advance decision from this Office on the propriety of approving a voucher for the expenses of the course. The certifying officer has informally indicated that employees of the DNA have participated in this course in the past, but at their own expense. As of 1987, the course cost \$450. The "course description" indicates that it is intended to provide enrollees with the skills and practical knowledge needed to effectuate a successful job change. The course syllabus includes classes entitled "Wage and Salary Negotiation," "Self-Marketing," "Female Behavior in the Business World," "Resumes and Letters", and "Clothing and Interviewing."

The certifying officer is of the view that funding for this course is precluded by both the Government Employees Training Act (the Act), 5 U.S.C. §§ 4101-4118 (1982), and by a prior decision of this Office, 36 Comp. Gen. 621 (1957).

ANALYSIS

Reliance on the Act is misplaced here. The Act applies to civilian employees and, by its own terms, does not apply to active duty members of the uniformed services. 5 U.S.C. § 4102(a)(1)(C). See H. Rep. No. 1951, 85th Cong., 2nd Sess. 14, reprinted in (1958) U.S. Code Cong. & Ad. News 2912. Because this case involves a Colonel on active duty in the Air Force, the Act is not applicable.^{1/}

With respect to 36 Comp. Gen. 621 (1957), we agree that under the tests applied in that decision the proposed expenditures for the course for the Air Force Colonel would not be allowable because there is no apparent connection between the subject matter of the course "Strategy of Career Transition," which is essentially an outplacement course, and the current duties of any government employee.

On the other hand, although not raised by the certifying officer, the proposed expenditure may be viewed as a necessary expense (incident to DNA's fiscal year 1987 appropriation) of administering DNA's personnel system. In the past, this Office has authorized expenditures by agencies without specific statutory authority for a number

^{1/} We hereby clarify a number of our former decisions which apply the Act to military agencies and fail to make clear that they do so only in relation to civilian employees and not to military employees of those agencies. See, e.g., B-223447, Oct. 10, 1986; B-195461, Oct. 15, 1979; B-167156, July 10, 1969.

of purposes where legitimately justified as necessary expenses.^{2/}

We view outplacement assistance to employees as a legitimate matter of agency personnel administration, so long as such counseling benefits the agency. Doubtless, there may be instances where the agency determines that it is in its, and an employee's, best interest to help an employee find employment elsewhere. The agency focus need not be so narrow, however. Beyond the benefits that the agency and an employee may derive in individual cases, there are potentially significant benefits that an agency can derive by the incorporation of outplacement assistance into its personnel system. By way of example, the possibility of outplacement assistance can promote work place morale by assuring employees that, if needed, the agency will help them move to other jobs. Outplacement assistance also can enhance the attractiveness of employment in public service and thereby further the recruitment of a dynamic, talented workforce.

Any expenditures authorized as a necessary expense require an agency finding that outplacement assistance is necessary to accomplish the purpose of the appropriation to be charged. In this regard, first and foremost, the agency should consider the benefit to the agency expected from an expenditure of appropriated funds for outplacement assistance. The agency also should evaluate the anticipated benefits in light of the cost of the assistance to be provided to assure itself that the amount expended for outplacement assistance is reasonable. Other appropriate factors for agency consideration include the desirability of a coordinated agency program of outplacement assistance as opposed to ad hoc assistance responding to individual employee requests and the desirability of in-house outplacement assistance versus reliance on external sources of outplacement assistance. Thus, as long as the agency finds that expenditures for outplacement assistance benefit the agency and are reasonable in amount, we will view such expenditures as legitimately justified as necessary expenses.

^{2/} For example, such authorized expenditures have been made for employee welfare purposes (see 49 Comp. Gen. 476 (1979); 51 Comp. Gen. 797 (1972); and B-169141, Nov. 17, 1970) and for the improvement of employee morale and efficiency (see B-226011 and B-226900, Nov. 17, 1987).

In this case, we conclude that the voucher can be certified for payment, provided that the head of the DNA or the appropriate delegate finds that, taking into account the above considerations, the expenditure is necessary to accomplish the purpose of the appropriation charged.

for Milton J. Socolar
Comptroller General
of the United States