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Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: White House Communications Agency--Purchase
or Rental of Formal Wear

File: B-247683

Date: July 6, 1992

DIGEST

The White House Communications Agency may use appropriated funds to pay for the purchase or rental of formal attire for employees performing duties in support of the President or Vice President of the United States during formal functions since the apparel is necessary to perform their official duties, not merely to be dressed in a socially acceptable manner.

DECISION

The Chief of the Accounting and Finance Division of the Defense Information Systems Agency (DISA) asks whether the White House Communications Agency (WHCA)¹ may use appropriated funds to purchase or rent formal attire for WHCA military personnel attending formal events. As explained in further detail below, we conclude that appropriated funds are available for the purchase or rental of formal attire for WHCA personnel.

BACKGROUND

All officers and enlisted personnel assigned to WHCA are required to provide communications support to the President and Vice President of the United States during all occasions including formal ones. WHCA personnel are also required to provide security support to the United States Secret Service protection details present at such events. Typically, WHCA units consist of six to ten individuals. According to DISA, two or three of these individuals are required to wear formal attire so that they remain inconspicuous in the vicinity of the President, the Vice President and other senior staff and move about a formal event freely in order to relay messages, set-up equipment and respond to any

¹WHCA is a component of the Defense Information Systems Agency which in turn is an agency of the Department of Defense. WHCA is made up of approximately 60 officers and 940 enlisted men.

emergencies in WHCA's communications or security support roles. The duty to attend these functions is decided on a rotating basis among WHCA personnel, and, according to DISA, the average service member is required to attend a formal function and thus to wear formal attire one or two times a year.

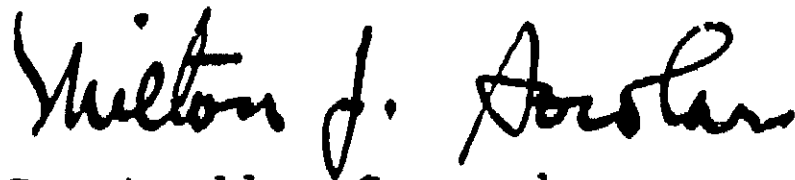
DISCUSSION

As a general rule, items of apparel are considered to be the personal responsibility of a government employee and may not be provided at public expense, even when worn in the course of public business. 67 Comp. Gen. 592, 593 (1988). In 64 Comp. Gen. 6 (1984), we also applied this rule to the costs of purchasing or renting formal attire. In that case an employee of HHS claimed reimbursement for the cost of renting a tuxedo to accompany the Secretary of the Department to a function where formal attire was required. We found that the employee frequently accompanied the Secretary to many such functions and concluded that there was no showing that the use of formal attire was necessary for reasons beyond presenting a socially acceptable appearance. Id.

Our Office has, however, recognized two exceptions to the formal attire rule. First, we have allowed payment when the use of formal attire was necessary for the proper performance of the employee's duties beyond merely being attired in a socially acceptable manner. Thus, appropriated funds could be used to pay for rental of formal wear for Secret Service agents when needed for security purposes, i.e., to be less readily identified as a security agent. 48 Comp. Gen. 48 (1968). Second, if formal wear is not a usual part of an employee's wardrobe and is required only rarely or infrequently to perform his or her official duties, then appropriated funds may be used. 67 Comp. Gen. at 593. For example, in B-164811, July 28, 1969, we approved the reimbursement by the Justice Department for the rental of morning coats for attorneys assigned to argue before the Supreme Court. We held that the wearing of formal attire was necessary for the proper performance of an attorney's assigned duties. We stressed that since individual attorneys were required only occasionally to appear before the Court it would be unreasonable to expect them to purchase such formal attire. If, however, it is shown that attendance at such functions is part of a person's regular duties and formal attire is a personal furnishing which the employee may reasonably be required to provide, then appropriated funds may not be used. Id.

The record in the instant case indicates that from time to time WHCA personnel are required to wear formal attire and may expect to attend one or two formal events in a calendar

year. As in the Justice Department case, B-164811, WHCA personnel do not attend such functions on a regular basis, rather they cover many events which may or may not be formal on a rotating basis. Moreover, the personnel that are required to attend events which necessitate formal attire must do so to remain inconspicuous and blend in with other attendees for security and communications purposes. Thus, in contrast to 64 Comp. Gen. 6, the use of formal attire is necessary to the performance of the employee's duties, and is not merely to be dressed in a socially acceptable manner. Further, because WHCA personnel are required to wear formal attire so infrequently, it is not a usual part of their wardrobe for which they can reasonably be expected to bear the cost. Under such circumstances, we conclude that the security support role provided by WHCA personnel is sufficient to invoke the exceptions discussed above.

for 
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