



COMPTROLLER GENERAL OF THE UNITED STATES  
WASHINGTON, D.C. 20548

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B-151106

October 4, 1972

Mr. Y. Nakashima  
Deputy Accounting and Finance Officer  
Through Assistant Comptroller for Accounting  
and Finance (HQUSAF)  
Department of the Air Force  
Denver, Colorado 80205

Dear Mr. Nakashima:

We refer to your letter of May 2, 1972, reference ACFPT, which was forwarded June 5, 1972, to this Office through the Per Diem, Travel and Transportation Allowance Committee, and assigned PDTATAC Control No. 72-20, regarding the entitlement of Mr. Shuichi Ono, presumably an American citizen, to reimbursement of amounts paid incident to obtaining passports for himself and his three sons. Mr. Ono is a local hire with whom a transportation agreement was executed in accordance with paragraph C4002-3 of the Joint Travel Regulations (JTR), Volume 2, and who has earned renewal agreement travel pursuant to the provision of paragraph C4001, JTR. He, however, contemplates no such travel at this time.

Mr. Ono has claimed reimbursement for the \$12 passport fee for himself and for each of his three sons, as well as for the \$3.23 per person cost of photographs incident to obtaining those passports. His claim is for a total of \$60.90 and is made pursuant to the authority of paragraph C9010-2 of JTR, and paragraph 40250 of Air Force Manual (AFM) 177-103. You express doubt as to the propriety of reimbursement of those expenses under the cited regulations.

Paragraph C9010-2 of JTR provides for reimbursement of expenses of obtaining or renewing a passport as follows:

"2. CONTEMPLATED OFFICIAL TRAVEL, PASSPORTS AND VISA FEES

"a. General. Any employee who is officially required to obtain or renew a passport or visa may be reimbursed for the expense incurred for the issuance or renewal of a passport or visa, notwithstanding that actual travel may not occur. This authority for reimbursement includes an employee required to renew his passport as a result of continued employment in an overseas area to which he was transported at Government expense. It also

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includes the type of employee described in subpar. b. Public Voucher for Purchases and Services Other Than Personal (Standard Form 1034) will be used for such reimbursement claims. Supporting authority will be included or attached. The appropriation citation will be that current at the time the expense is incurred. Prior fund citation approval is required.

"b. Passport and Visa for Emergency Technical Support Personnel. When an activity is required to have emergency technical support personnel available for official travel on short notice, and such personnel are directed in writing by the responsible commanding officer to maintain current passports or visas in contemplation of such travel, claims for fees paid are allowable whether or not actual future travel is performed."

Paragraph 40250(c) of AFM 177-103 provides as follows:

"c. Voucher Forms. When dependents' expenses are reimbursable, use DD Form 1351-4 for payment. When members perform the travel, use DD Form 1351-2. When members have obtained passports or visas pursuant to orders of commanders, for future travel per AFM 211-2 payment will be by SF 1034, 'Public Voucher for Purchases and Services Other Than Personal,' or through use of imprest funds. The rules for preparing and processing SF 1034 are similar to those in chapter 1, part four. SF 1034 is shown in figure 2-15, part two, AFM 177-102. Imprest fund payments are described in ASPR 3-607. Receipt will be required for any item claimed in excess of \$15."

There is no indication that Mr. Ono has any official responsibility for emergency technical support. Thus, subparagraph (b) of paragraph C9010-2, JTR, is not here relevant and Mr. Ono's claim, if proper, would appear to fall within the scope of subparagraph (a). Had Mr. Ono been recruited in the United States rather than locally there would appear to be no question, in view of the language of the second sentence of subparagraph (a), but that he would be entitled to reimbursement for the expense of renewing at least his own passport.

Inasmuch as Mr. Ono was not transported at Government expense to the foreign area, but hired locally, the determination as to his entitlement to reimbursement of the amount claimed is dependent upon whether he was "officially required" to renew the passports, as that phrase is used in the quoted regulation. Variant views are expressed in the file supporting the request for our decision. It is suggested on the one hand that the regulation requires as a condition to entitlement that travel be contemplated, or more narrowly construed, that it is restricted in application to employees who are required to travel in connection with their overseas employment. On the other hand, it is pointed out that the regulation may be construed to permit reimbursement to an employee who is officially required to renew or obtain a passport irrespective of whether any travel is undertaken or contemplated.

In regard to this latter view, we note that employees and dependents of employees of civilian components of the United States Forces in Japan are required under the "Agreement Regarding Status of the United Nations Forces in Japan" (SOFA), 5 USTA 1123, TIAS 2995, February 19, 1954, to have valid passports in their possession for purposes of identification. Article III of SOFA provides in part as follows:

"5. Members of civilian components shall have their status and the organization to which they belong described in their passports. Dependents shall have their status described in their passports.

"6. For purposes of their identification while in Japan, members of the civilian components and dependents shall, on demand of the appropriate Japanese authorities present their passports within a reasonable time."

That requirement is implemented in 5 Air Force Regulation 30-3, effective April 20, 1970.

We point out that a United States citizen who is hired locally and who meets the conditions of eligibility for renewal agreement travel is generally entitled to the same benefits as an employee recruited stateside. By its express terms, the authority for reimbursement of passport fees includes employees recruited stateside who are required to renew passports as a result of their continued employment in the foreign area. Therefore, while not expressly covered by the regulation, our view is that passport expenses of United States citizens hired locally who are entitled to renewal agreement travel and/or return transportation are properly for payment.

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While reimbursement for the expense of passports required to be renewed for dependents is not expressly authorized by the JTR, we consider that such is an appropriately reimbursable administrative expense.

Mr. Ono's voucher, with attachments, is returned herewith and may be processed for payment of the passport expenses in accordance with the above.

Sincerely yours,

PAUL G. DEMBLING  
For the Comptroller General  
of the United States