



**The Comptroller General  
of the United States**

Washington, D.C. 20548

## Decision

Panama Canal Commission - Educational & Tour  
Renewal Travel of Dependents During Period of  
Travel Advisory

Matter of:

File: B-235846

Date: February 14, 1990

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### DIGEST

The Panama Canal Commission may fund educational and tour renewal travel to an alternate location for dependents of U.S. citizen employees of the Commission who are in the United States for undergraduate studies. These dependents need not return to Panama during a period in which U.S. citizens are warned not to travel to Panama.

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### DECISION

The issue in this decision is whether the dependents of United States citizens who are stationed in a foreign country must return to that foreign country for educational travel and tour renewal agreement travel if U.S. citizens have been warned not to travel to that country. We hold that the dependents may be reimbursed for travel to another location in these circumstances.

### BACKGROUND

This responds to a request from the Administrator of the Panama Canal Commission concerning the educational and tour renewal travel entitlements for dependents of United States citizens who are employed by the Commission.<sup>1/</sup> Under 22 U.S.C. § 3647 (1982), certain United States citizen employees of the Commission are entitled to educational travel benefits for their dependents. Pursuant to that statute, employees are entitled to the expenses of two round trips per year between the Republic of Panama and the United States for their dependents who are enrolled in college in the United States. In addition, under 22 U.S.C. § 3650 (1982), certain U.S. employees of the Commission are

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1/ The Panama Canal Commission, an agency in the Executive Branch, is responsible for operating and maintaining the Panama Canal. See 22 U.S.C. § 3611 (1982).

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entitled to tour renewal travel expenses; that is, the travel expenses of the employee and the transportation of the employee's family between the employee's post of duty in Panama and the place of the employee's actual residence at the time of appointment.<sup>2/</sup>

Under normal conditions, the dependents of Commission employees who are attending college in the United States would return to Panama during their summer vacation on educational travel. In addition, these dependents would be eligible to travel with their families during the summer from Panama on tour renewal travel. However, in light of the unsettled conditions in Panama in 1989, the Administrator of the Commission believed it would be imprudent for these dependents to return to Panama, especially since the Department of State issued a travel advisory warning U.S. citizens not to travel to Panama until further notice and to arrange for their dependents in Panama to depart until conditions were normalized.

Under these circumstances, the Administrator determined that, during the period of unsettled conditions, the Commission should pay educational travel for the dependents from their school in the United States to an alternate location in the United States for their summer break. For example, arrangements were made for dependents to travel to the actual place of residence of the employee-parent or to the place of residence of a grandparent. In addition, the Administrator determined that the Commission should pay for the transportation of dependents to accompany their families on tour renewal travel from their school in the United States or the alternate location. The Administrator advised employees that, should a favorable decision regarding this temporary policy not be forthcoming, they would be responsible for reimbursing the Commission for funds expended in accordance with the policy.

#### OPINION

We have previously considered whether tour renewal travel could be paid for dependents from a location other than the employee's post of duty. In 55 Comp. Gen. 886 (1976) dependents were not permitted to accompany an employee assigned to a danger area and were instead transported to an alternate, safe location. Because of the dangerous conditions, the dependents were unable to comply with the

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<sup>2/</sup> While 22 U.S.C. § 3650 refers to vacation leave travel, our decisions refer to vacation leave travel as tour renewal travel. See Charles E. Potts, 65 Comp. Gen. 213 (1986).

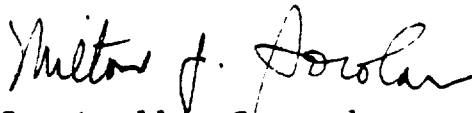
requirement of 5 U.S.C. § 5728, the tour renewal travel statute, that travel be between the employee's post of duty outside the continental United States and the employee's actual place of residence in the United States.

In that decision, we recognized that the purpose of section 5728 was to help retain experienced employees stationed outside the United States, and we held that the employees should be paid tour renewal travel for their dependents based on the cost of transportation between the alternate, safe location where the dependents were residing and the actual place of residence of the employee.

We believe that the circumstances in this case are substantially similar to those in 55 Comp. Gen. 886.3/ While not specifically addressed in our prior decision, we believe the same principle applies to educational travel under 22 U.S.C. § 3647 which, based on its legislative history, was enacted to help retain experienced employees stationed outside the United States. See H.R. Rep. No. 96-98, 96th Cong., 1st Sess. 1054-1055 (1979).

Therefore, we conclude that the dependents of eligible Panama Canal Commission employees are entitled to educational and tour renewal travel benefits without requiring return travel to Panama during the period in which a travel advisory is in effect. The amount to be paid for tour renewal travel should be limited to the cost of transportation between the dependent's school in the United States or the alternate location (whichever is applicable) and the actual place of residence of the employee-parent. The amount to be paid for educational travel should be limited to the cost of transportation between the dependent's school in the United States and an alternate location in the United States.

Accordingly, we confirm the determination by the Administrator of the Panama Canal Commission to fund such travel.



Acting Comptroller General  
of the United States

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3/ Pursuant to 22 U.S.C. § 3250, the conditions set forth in 5 U.S.C. § 5728 regarding tour renewal travel are applicable to these employees in Panama.