

*April 1986*

**DECISION**



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

**FILE:** B-221019

**DATE:** April 7, 1986

**MATTER OF:** National Security Agency - Overseas Employee -  
Educational Travel

**DIGEST:**

An overseas employee is entitled to reimbursement for the educational travel expenses of his dependent because the definition of "college education" in section 281c of the Standardized Regulations (Government Civilians, Foreign Areas), which implements 5 U.S.C. § 5924 (1982), is sufficiently broad to include a specialized school offering a 3-year program in marine engineering whose graduates receive a diploma certifying to their proficiency in marine engineering, as well as qualifying them for a commission in the Merchant Marine Naval Reserve.

We have been asked by a Finance and Accounting Officer to determine whether a National Security Agency employee stationed overseas may properly be reimbursed for travel expenses in connection with his dependent's travel to the Maryland campus of the Calhoun M.E.B.A. Engineering School from the employee's overseas field station. We find that the employee may be reimbursed for the educational travel expenses of his dependent pursuant to 5 U.S.C. § 5924(4)(B) (1982), and its implementing regulations, Standardized Regulations (Government Civilians, Foreign Areas).

The employee and his dependent were transferred to one of the National Security Agency's overseas field stations. Subsequent to the transfer, the dependent returned to Maryland to commence his second year as a student at the Calhoun M.E.B.A. Engineering School (Calhoun Engineering). The employee sought reimbursement for his dependent's travel expenses to Maryland. However, the employee was denied reimbursement on the grounds that the curriculum offered by Calhoun Engineering did not qualify as "college education" as defined in section 281c of the Standardized Regulations.

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That section defines college education as attending "a full program at the undergraduate level at a university or college, including 2-year junior or community college, located in the United States offering academic courses leading to a degree."

The authority for paying the educational travel expenses of dependents of an employee to and from a school in the United States to obtain an American secondary or undergraduate college education is contained in 5 U.S.C. § 5924 (1982). That section, entitled "Cost-of-living allowances," authorizes several benefits for employees in foreign areas, including:

"(4) An education allowance or payment of travel costs to assist an employee with the extraordinary and necessary expenses, not otherwise compensated for, incurred because of his service in a foreign area or foreign areas in providing adequate education for his dependents, as follows:

\* \* \* \* \*

"(B) The travel expenses of dependents of an employee to and from a school in the United States to obtain an American secondary or undergraduate college education \* \* \*."

We find that the curriculum offered by Calhoon Engineering does qualify as "college education" for purposes of the statute and its implementing regulations. Calhoon Engineering's curriculum offers a 3-year program designed to train students to become marine engineers. To be eligible for admission, an applicant must be 17 to 31 years of age, a U.S. citizen, and a high school graduate. Students spend 2 years of the program in academic studies and 1 year in on-the-job training aboard various merchant ships. Upon completion of the program, the graduates receive a diploma certifying to their proficiency in marine engineering as well as qualifying them for a commission in the Merchant Marine Naval Reserve. Thus, it meets the statutory definition of a civilian nautical school which has the primary purpose of training individuals for service in the merchant marine. See 46 U.S.C. § 1295f(a) (1982). Further, graduates of Calhoon Engineering are required to apply for a commission in the Merchant Marine Naval Reserve, and accept

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the commission if offered. This makes the school similar in many aspects to the United States Merchant Marine Academy and seems to fulfill the congressional declaration of policy concerning maritime education and policy found in 46 U.S.C. § 1295 (1982).

It is clear from the broad language of the statute that the purpose of 5 U.S.C. § 5924(4) is to assist employees stationed overseas in providing adequate education for their dependents, including undergraduate college education. We believe that this purpose is served by including the type of education provided by Calhoun Engineering in the definition of "college education" found in section 281c of the Standardized Regulations. Calhoun Engineering's curriculum appears similar to that found at several traditional colleges, especially many 2-year junior or community colleges that offer associate degrees.

Accordingly, we find that the employee in question may properly be reimbursed for his dependent's educational travel expenses.



Comptroller General  
of the United States