

SPOUSE AND DEPENDENT TRAVEL

Key References: JFTR Appendix E; DEPSECDEF Memo of 15 Mar 02

Key Concepts:

- Invitational Travel Authorization (ITA) for family members should be the exception, not the rule. We are stewards of the taxpayer's funds, and our actions must be beyond reproach.
- ITAs for dependents may be issued by an authorizing official when either (1) the spouse or dependent participates in an official capacity at an "unquestionably official function" or (2) travel is in the national interest because of a diplomatic or public relations benefit to the U.S. which requires the spouse's presence in a non-participatory role. Note: ITAs are usually approved for spouse travel only, but may be approved for other dependent travel in rare circumstances.
- Ordinarily the ITA should authorize reimbursement of only transportation costs.
- With respect to the approval of per diem, the standard "unquestionably mission essential" is a high threshold. Officials should make such a determination only after carefully scrutinizing the facts surrounding requests. Legal counsel should be consulted if any questions arise on the official nature of a function or the determination of what constitutes mission essential.

Unquestionably Official Function/Participation in Official Capacity:

- ITA requests must detail both the nature of the official function and the nature of the spouse's participation in an official capacity. While no formal definition has been established for an "unquestionably official function" as it relates to spouse ITA determinations, a function can accurately be classified as "unquestionably official" when the spouse is able to take the knowledge gained as a result of participating in the event(s) and employ it in the spouse's network at their parent command or on behalf of the Navy.
- The standard is subjective and must be reviewed on a case-by-case basis. The nature of the event is determined by examining how the event relates to Navy topics, the Navy family, or other areas of particular concern within the Navy or Department of Defense (DoD).
- Specific examples of unquestionably official functions may include: Briefs of importance to military families (e.g. Navy-Marine Corps Relief Society, Fleet and Family Service Center, Wounded Warrior Programs, Individual Augmentee (IA) Briefs, DoD Schools, Military Medicine briefs/updates); briefs that assist spouses in understanding how to successfully coordinate efforts to benefit military families (e.g. ethics, fundraising, and Family Readiness Groups); tours of on-base and off-base facilities (e.g. day care and medical facilities); and official receptions with military members and members of the local community who assist service members and their families.
- Participation in an Official Capacity: This exception for a spouse's travel is contingent upon the spouse participating in an official

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capacity, not mere representation. It is not enough for a spouse to attend a military-sponsored event to represent his or her military spouse; the spouse must participate in the event, and the authorization request must explain how the participation relates to the spouse's role/work with the Navy or DoD at their homeport.

- When crafting spouse agendas, take care not to title official events in a manner that belies their true nature. For example, consider using "roundtable" to describe an official meeting with spouses and local Ombudsmen, instead of "coffee reception." Also, consider spouse attendance at briefs and discussions included on the primary military agenda. This reinforces the official nature of the spouse agenda. Finally, unless you can legitimately describe an event as a "cultural tour", do not include purely tourist/social events on the official spouse agenda.

Diplomatic/Public Relations Benefit to the U.S.:

- ITAs for spouses may also be approved where their travel is in the U.S. interest. Their attendance must result in a diplomatic or public relations benefit to the U.S.
- Examples of spouse travel that would fall under this exception include: Diplomatic engagements with foreign military and/or government officials OCONUS; Flag officer spouse attendance at area CONUS Fleet Week events; and instances where the spouse is personally invited by a foreign official.
- Representation is the key to this exception. The exception applies when it is customary for military spouses to attend diplomatic and community-relations events to represent the U.S. so long as there is a benefit to the U.S. because of this representation. Because official participation is not required under this exception, spouse agendas need not include a diplomatic or community-relations event every day. For OCONUS events, there may be only one high-visibility or diplomatic affair requiring spouse attendance in a representational capacity to justify an ITA. For CONUS events, spouse agendas should include several events where spouses or sponsors interface with the local community and community leaders to ensure a considerable community-relations benefit is achieved.
- Because they do not confer a diplomatic or public relations benefit to the U.S., spouse attendance at events with exclusively DoD attendance (even events where a spouse may "represent" his or her flag officer spouse to subordinate military members and spouses) do not qualify for this exception. Additionally, even if the ITA is approved based upon a diplomatic event, it is prudent to have an itinerary that is populated with other official events (e.g. visiting the Navy-Marine Corps Relief Society, Fleet and Family Service Center, or military hospital) to best support the use of government funds for travel.

Per Diem:

- The approving official may authorize per diem and/or other actual expense allowances beyond transportation costs if the travel is "unquestionably mission essential" and there is a benefit for DoD

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beyond fulfilling a representational role. Per diem may also be authorized when the spouse's travel is justified on a basis independent from their status as a spouse.

- "Unquestionably mission essential" is a fact-dependent and subjective standard that requires a heavy burden to satisfy it. While no formal definition exists for "unquestionably mission essential", as it pertains to spouse per diem ITA determinations, it generally can be described as a situation where the spouse's presence is truly necessary to meet vital mission requirements. In other words, without the spouse's presence the mission would be susceptible to failure.
- Examples of unquestionably mission essential travel include, but are not limited to:
 - Where the spouse confers on an official DoD matter with DoD officials and performs a direct service to the DoD;
 - Spouses who are specifically invited to lecture, instruct, or give demonstrations in concert with a DoD operation or program;
 - Where a spouse's unique expertise in the subject matter under discussion serves a mission critical function that would otherwise go unfilled absent the spouse's attendance;
 - Where a spouse's unique relationship with a member or members of a group to be influenced or engaged upon during the trip will significantly increase the likelihood of mission success (typically applicable only to foreign diplomatic/military trips where the commander is attempting to win support for his or her position on behalf of the U.S.);
 - Where the spouse's presence is required to ensure future readiness as the husband or wife of a senior official (e.g. Navy Flag Officer Spouse Training, NFLEX, NFOSES); and
 - Where a spouse is explicitly invited to a gender specific event that would exclude his or her spouse from attending, but has great importance to the United States or the Navy (e.g. a female only event hosted by royal families or by spouses of other high level dignitaries in the Middle East, including, but not limited to, wedding side-events and women's majalis (مجالس) meetings).
- Approval Authority
 - CNO has delegated approval authority for ITAs for spouses to Vice Chief of Naval Operations; Commander, U.S. Fleet Forces Command; Commander, U.S. Pacific Fleet; Commander, U.S. Naval Forces Europe; and Director, Navy Staff.
 - The authority to approve ITAs for spouses of DoD senior officials may not be delegated below the Chief of Staff or equivalent level.