

OGC HAS REVIEWED.

CARDS

calling.

SFD  
Via: DADSO  
Office of the General Counsel

13 December 1948

Reimbursement for Calling Cards

1. Your memorandum of 3 December 1948, has raised the question of the legality of payments made to employees of this Agency for the purchase of [redacted] in late 1946 and early 1947. It is our understanding that the individuals involved had been [redacted] and the cards were considered a necessary expense incidental to their employment. Vouchers for the purchase of the cards were processed through the proper channels and were approved by the Foreign Branch Chief concerned. The practice of approving the purchase of such cards was later discontinued on the informal advice of legal counsel. Formal opinion of legal counsel has now been requested in regard to the propriety of the payments already made.

2. The advisability of procuring subject cards was an administrative matter and was not in contravention to any rules and regulations of the Agency existing at the time. The peculiar nature of this Agency necessarily requires certain Governmental expenditures which would otherwise be considered personal. Although, as a matter of practice, the orthodox members of the Foreign Service supply their own cards, there was no restriction on this Agency to prevent the purchase of the cards when it was considered a justifiable expense. The later decision not to purchase them was simply a reversal of an administrative policy, and it does not seem legally necessary to question the payments now. As the Comptroller General indicated in his opinion in 18 Comptroller General 579, it is not the responsibility of accounting officers to determine administrative needs but to see that the work in respect to such needs is complied with and that appropriate monies are not expended in violation of applicable statutes. There does not appear to be any violation in this situation.

STATINTL  
[redacted]