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COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON 25

AUG 25 1947

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Federal Works Administrator,
Federal Works Agency.

AUG 25

My dear General Fleming:

There has been considered your letter of June 10, 1947, as follows:

"In order that the Federal Works Agency might have the benefit of current opinion regarding proposals for Federal-aid construction programs in the field of airports and airways, and the possibilities of new legislation in this field, I directed the General Counsel of the Agency to attend the Joint Airport Users' Conference sponsored by the National Aeronautic Association held in Washington, D. C., on Monday and Tuesday, May 19 and 20, and to pay the required registration fee of \$20.00, which included 'all regular conference meals and a bound copy of the proceedings.' For the provision of new airports, the Federal Works Agency has substantial collateral interests. Its Bureau of Community Facilities makes advances for the planning of airports and related facilities; its Public Roads program must be tied into any new airport; and its Public Buildings Administration is similarly affected with respect to post offices and other buildings.

"Section 201(c) of the Independent Offices Appropriation Act, 1947, reads as follows:

"Appropriations contained in this Act, available for expenses of travel shall be available, when specifically authorized by the head of the activity or establishment concerned, for expenses of attendance at meetings of organizations concerned with the function or activity for which the appropriation concerned is made."

"The decision to the Secretary of the Interior, (26 CG 53) and decisions therein cited have been studied. It is believed that under the legislation quoted above, payment from our appropriation of expenses of attendance at the conference in question would be justified. While 26 CG 53 seems to limit its effect to those cases in which attendance at meetings is required in positive furtherance of the purposes for which the appropriation is made, as distinguished from mere community of interest, in that case the appropriation

involved contained no specific authority for payment of expenses for attendance at meetings. However, doubt arises by reason of the inclusion in this instance of conference meals in the registration fee. Were our representative in a travel status during the period of his attendance, deduction might be made from his per diem in the manner contemplated by paragraph 47-a of the Travel Regulations. In this instance, however, no such arrangement is possible.

"I would appreciate being advised whether we may properly reimburse our representative for the amount of the registration fee paid by him, either in whole or in part, and, if in part, how the amount payable should be computed. In addition, since requests to authorize expenses of attendance at meetings are frequently received, I would appreciate your views as to whether, in cases where our representative is in a travel status, our suggestion to handle the matter in accordance with paragraph 47-a of the Travel Regulations would be proper."

In view of the specific provision of section 201(c) of the Independent Offices Appropriation Act, ¹⁹⁴⁷ 60 Stat. 79, quoted in your letter, that appropriations contained in that act, which are available for expenses of travel, shall be available, under the conditions specified, for "expenses of attendance at meetings of organizations concerned with the function or activity for which the appropriation concerned is made," the registration fee paid by the General Counsel of your agency to permit his attendance at the conference mentioned in your letter, clearly appears to be a proper charge against the appropriation for the Federal Works Agency.

From the information furnished in your letter, it is understood that the "conference meals" furnished to those in attendance at the said conference were merely incidental to the meetings--no separate charge having been made therefor--and that attendance at the meals was necessary to enable a full participation in the conference func-

B-66978

-3-

tions. Under such circumstances, the fee, which included the cost of the meals furnished, may be considered as a necessary and proper expense incident to the performance of official duties at the conference. Accordingly, you are advised that reimbursement properly may be made to the General Counsel of your agency for the cost of the required registration fee, without regard to the value of the meals furnished to him as a part of the consideration for such fee.

With respect to the matter of meals furnished under circumstances similar to those discussed above to employees in a travel status and for whom per diem in lieu of subsistence is authorized, it may be stated that there would be for application, as suggested by you, the provisions of paragraph 47(a) of the Standardized Government Travel Regulations which expressly require a deduction of one-fifth of the authorized per diem rate "for each meal and/or lodging furnished without charge by a Government agency".

The voucher forwarded with your letter is returned herewith.

Respectfully,

(Signed) Lindsay G. Warren

Comptroller General
of the United States.

Enclosure.