

DECISION



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

FILE: B-214638

DATE: August 13, 1984

MATTER OF:

Federal Law Enforcement Training Center-
Off-site Busing Program

DIGEST:

Where Congressional Appropriation provides up to \$60,000 for "student athletic and related activities" funds are available to provide a limited off-site transportation service for students at the Federal Enforcement Training Center. The Center is located at a remote site and, the proposed service will provide access to shopping centers, to recreation areas and to places of worship. These activities appear reasonably related to the purpose of the appropriation.

The Director of the Federal Law Enforcement Training Center has requested an advance decision on whether the Center may use appropriated funds to provide a limited off-site transportation program for students who must live at the facility for the duration of their training program. For the reasons indicated below, we conclude that funds in the Center's annual appropriation earmarked for "student athletic and related activities" are available for this purpose.

Organizationally, the Center is a Bureau of the Department of the Treasury which acts as "lead agency" in carrying out the program. It operates as an interagency facility to provide in-service training to Federal law enforcement officers throughout the Government and to conduct research in law enforcement training methods. Eight Government agencies jointly sponsor training its activities, pursuant to a memorandum of understanding signed September 30, 1970, and most recently updated on February 1, 1984. A Board of Directors, composed of representatives from eight of the participating agencies prescribes policy for the Center. Administrative functions are performed by the Director, who is appointed by the Secretary of the Treasury and approved by the Board. The Center is financed by its own appropriations and, by reimbursements when a particular agency requires unique or unprogrammed activities.

Located at the former Navy base in Glynco, Georgia, the Center is several miles from Brunswick, the nearest town. There is no public transportation to Brunswick and most students do not have cars. While at the Center students are

in travel status. They are required to lodge at the Center and to take their meals there for the duration of their stay. Basic training is generally from Monday to Friday and lasts from 5 - 17 weeks, depending on the agency that employs the particular trainees.

We have been informally advised that students have consistently complained of the inability to leave the campus. As a response, the Director proposes to implement weekend and holiday bus service from the Center to several points in Glynco County. This would allow students access to shopping centers, recreation areas, and places of worship. The Center currently provides transportation for students to and from airports, and from nearby hotels to the Center when the dormitories are full. The Center owns its own buses and contracts with an outside company to operate them. The new service would entail modest expenditures to have the company operate the buses on weekends.

Many years ago, this Office took the position that, while furnishing recreational facilities may be highly desirable, "they constitute expenses which are personal to the employees and which are not permitted to be furnished from appropriated funds unless so provided in the appropriation either specifically or by necessary implications." 18 Comp. Gen. 147 (1938). Our early cases made no exception for isolated locations or modest expenses. In B-37344 (Oct. 14, 1948) we said that certifying a voucher for \$34.50 for the purchase of bats and balls for Forest Service employees located more than an hour's drive from recreational facilities would be improper because there was no specific appropriation. See also, B-49169, May 5, 1945; 27 Comp. Gen. 679 (1948). However, where War Department regulations required that a recreation room be provided on all seagoing dredges, we approved the cost of ping pong paddles and balls to equip the room. B-61076 (Feb. 25, 1947). The expenditure was justified as necessary to promote employee morale, to prevent labor turnover, and to compete with private industry. Id.

Our more recent cases have followed the trend of B-61076. We have allowed modest expenditures for recreational purposes where the agency has determined that it would promote employee morale, attract valuable employees, and foster efficiency in Government. An \$18,493 expenditure for the construction of tennis courts in a remote locality was approved as a "related accommodation" under an appropriation which provided for:

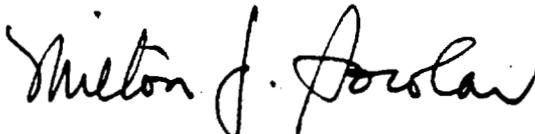
"The construction and furnishing of quarters and related accommodation for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available." B-173009. July 20, 1971, at 3

There, FAA employers were required to move with their families to a remote community in Panama. There were no recreational facilities for them. The request for recreational facilities was based on a desire to promote employee morale. We said that considering the context of the appropriation, it would not be unreasonable to construe "related accommodations" to include limited recreational facilities. Id. at 4. See also, B-144237, November 7, 1960.

The Center's 1984 appropriation provides:

"For necessary expenses of the Federal Law Enforcement Training Center, including -- not to exceed \$60,000 for expenses for student athletic and related activities; participation in firearms matches; repair; and services as authorized by 5 U.S.C. 3109; \$14,481,000." S.Rept 98-186, July 20, 1983, incorporated by reference in Pub.L. No.98-151, 97 Stat 973, Nov. 14, 1983.

By designating up to \$60,000 for student athletic and related activities, Congress recognized the necessity of limited expenditures for extracurricular activities. It is reasonable to construe "related activities" to include a limited off-site transportation program which will allow students access to shopping centers, recreational areas and places of worship. Such a program appears to serve the same purpose as the explicitly recognized student athletic activities, of the Center's appropriation within the limits specified for "student athletic and related activities," to implement a limited off-site transportation program as proposed.

for 
Comptroller General
of the United States