



Comptroller General
of the United States

Washington, D.C. 20548

Decision

AF

Matter of: Interagency Financing of Federal Executive Board

File: B-240316

Date: March 15, 1991

DIGEST

Although the Federal Bureau of Prisons may not use appropriated funds to contribute, along with other federal agencies, a pro-rata share of costs incurred by the Dallas/Fort Worth Federal Executive Board for awards made by the Board, it may use its appropriations to pay costs of awards to its own employees for their services to the Board.

DECISION

The Comptroller, South Central Regional Office, Federal Bureau of Prisons (Bureau) has requested an advance decision on the propriety of using appropriated funds to pay a share of the total costs incurred by the Dallas/Fort Worth Federal Executive Board (Board) to recognize local federal employees for their service to the Board. We conclude that the Bureau's appropriations are not available for this purpose. The Bureau, however, may use its appropriations to pay the costs of awards to its own employees for exemplary service to the Board.

BACKGROUND

Federal Executive Boards are interagency coordinating groups created to strengthen federal management practices, improve intergovernmental relations, and participate as a unified federal force in local civic affairs. See generally 65 Comp. Gen. 689 (1986). The Boards were established by President Kennedy in 1961; they have no legislative charter and receive no appropriations. They rely on the voluntary participation of their members.

The Dallas/Fort Worth Board annually recognizes local federal employees for their service in the accomplishment of Board projects. In order to pay for the plaques, certificates and other costs of the awards program, the Board assesses each member agency a pro-rata share of the total cost. (In 1990 the Board assessed each agency \$100.)

The Bureau's Comptroller in the Dallas Regional Office suggests that the use of appropriated funds for interagency financing of a board is improper.

DISCUSSION

Section 608 of the Treasury, Postal Service and General Government Appropriations Act for fiscal year 1991 precludes the Bureau from contributing a pro-rata share to the costs of the Board's awards program; it prohibits the use of appropriated funds for the interagency financing of boards "which do not have a prior and specific statutory approval to receive financial support from more than one agency." Pub. L. No. 101-509, 104 Stat. 1389; 1472 (1990). We are aware of no applicable prior and specific statutory approval for the Board. Restrictions similar to that of section 608 have appeared in appropriations laws since 1972, and result specifically from congressional concerns regarding interagency financing of Federal Executive Boards in particular. 65 Comp. Gen. at 690. See also 67 Comp. Gen. 254, 257 (1988).

We see nothing wrong, however, with the Bureau using its appropriations to reward its own employees for their service to the Board. The Incentive Awards Act authorizes the head of an agency to "pay a cash award to, and incur necessary expense for the honorary recognition of, an employee who . . . contributes to the efficiency, economy, or other improvement of Government operations, or performs a special act or service in the public interest in connection with or related to his official employment." 5 U.S.C. § 4503. Because of the nature of the Board's mission, exemplary service in the accomplishment of Board projects would fall within the Incentive Awards Act's scope of activities authorized for reward. See 70 Comp. Gen. _____ (B-236040, Oct. 9, 1990) holding that the Bureau of Mines may pay, as "necessary expenses" under that Act, a fee charged to its employees to attend a Pittsburgh Federal Executive Board awards ceremony. The fee was to cover, among other things, the costs of plaques and recognition awards. We concluded that because the awards were based on nominations submitted by each member agency and were designed to recognize the employees of those agencies, the Bureau of Mines could pay the fees charged Bureau of Mines nominees, award recipients and their supervisors or managers.

Milton J. Fowler

Acting Comptroller General
of the United States