



**Comptroller General  
of the United States**

Washington, D.C. 20548

## **Decision**

**Matter of:** Commission on Interstate Child Support--Payment of Lodging and Meal Expenses of Certain Attendees at the National Conference on Interstate Child Support

**File:** B-242880

**Date:** March 27, 1991

### **DIGEST**

The Commission on Interstate Child Support may pay the lodging and meal costs of certain core invitees it determines are essential to assist the Commission in fulfilling its statutory duties and to ensure adequate representation at the statutorily mandated National Conference on Interstate Child Support.

### **DECISION**

This is in response to a letter from the Executive Director of the Commission on Interstate Child Support (Commission) dated February 5, 1991, in which he asked our opinion regarding the use of appropriated funds for the payment of lodging, lunches and coffee breaks for certain invitees to the National Conference on Interstate Child Support (Conference).

### **BACKGROUND**

According to the letter, a number of invitees comprising state executive, legislative and judicial officials are to form the nucleus of the Conference. The Commission's enabling legislation mandates the holding of a Conference to assist the Commission in making its report and recommendations to Congress. Pub. L. No. 100-485, § 126, 102 Stat. 2354 (1988). The letter states that the Commission considers the presence of this core group of attendees vital to the Commission's mission. To that end, the Commission would like to pay some of the invitee's expenses--luncheon, coffee breaks and lodging--to ensure their attendance.

### **ANALYSIS**

Under 31 U.S.C. § 1345 such expenditures are generally prohibited:

"Except as specifically provided by law, an appropriation may not be used for travel, transportation, and subsistence expenses for a

051017 / 143532

meeting . . . [exceptions omitted because inapplicable]."

31 U.S.C. § 1345. In interpreting the above statutory language, we have stated that:

"There seems very little if any room for doubt as to the reasonable meaning and legal effect of such language. Simply stated, it is that no convention or other form of assemblage or gathering may be lodged, fed, conveyed, or furnished transportation at Government expense unless authority therefore is specifically granted by law."

14 Comp. Gen. 638, 640 (1935).

We have also held that by using the word "specifically," Congress indicated that authority to pay travel and lodging expenses of nongovernment employees should not be inferred but rather that there should be a definite indication in the enactment that the payment of such expenses was contemplated. In other words, there is a distinction between the general authority to hold a conference and the specific authority necessary to overcome the prohibition in 31 U.S.C. § 1345. 62 Comp. Gen. 531, 532 (1983).

We have applied this statutory prohibition on the payment of meeting related expenses such as lodging and subsistence on numerous occasions. In 62 Comp. Gen. 531 (1983), for example, we concluded that the National Highway Traffic Safety Administration (NHTSA) was not authorized to pay the costs of transporting and lodging state officials attending workshops. The agency cited the Motor Vehicle Information and Cost Savings Act (Savings Act), 15 U.S.C. § 1981 et seq., as its "specific authority", excepting it from the restrictions of 31 U.S.C. § 1345. The Savings Act prohibits odometer tampering and provides other consumer protections. The Act also authorizes NHTSA to cooperate with appropriate state and local officials to the greatest extent possible in carrying out its responsibilities under the Savings Act. NHTSA wanted to conduct odometer tampering detection workshops to provide training to state officials and sought to pay the state attendees' lodging and travel in order to make it economically feasible for their attendance at the workshops. Although we viewed the workshops as reasonably related to NHTSA's mission and thus consistent with their general grant of authority, we noted that the Savings Act did not mandate that workshops be held. Accordingly, we did not find the payment of lodging and transportation expenses to be specifically authorized. In B-166506.58, July 15, 1975, the Environmental Protection Agency (EPA) sought to pay the transport and lodging expenses of 87 state officials at the National Solid Waste Management

Association convention. The EPA cited the Solid Waste Disposal Act, 42 U.S.C. § 3253, as its "specific authority." We held that the EPA could implement the Waste Disposal Act by holding conventions; 42 U.S.C. § 3253, however, did not constitute the specific authority contemplated by 31 U.S.C. § 1345 for the payment of convention-related subsistence and lodging expenses. Likewise, in B-193644, July 2, 1979, we determined that the Federal Coal Mine Health and Safety Act of 1969, as amended, authorized the Mine Safety and Health Administration, Department of Labor, to hold safety and health training seminars but that such authority was not specific enough to authorize the agency to pay for the travel and subsistence expenses of the attending miners and mine operators.

In one case, however, we allowed payment for the cost of transporting invitees to a conference notwithstanding the absence of specific language authorizing payment of travel or subsistence. In 35 Comp. Gen. 129 (1955), the White House conference on education was statutorily directed to bring together a group of educators and other interested citizens to discuss educational problems in the states and make recommendations for appropriate local, state and federal action. *Id.* at 130. In authorizing the payment of travel expenses, we noted that the sole purpose of the statute was to provide for a White House conference on education. We also found that the conference was to be "broadly representative of educators from all parts of the nation," and the law authorized appropriations for the "administration" of the Act. Since the conference was the only means of implementing the statute, we concluded that payment of the expenses was specifically authorized if administratively determined to be essential to ensure the wide representation contemplated by the legislation authorizing the conference.

The main difference between the White House conference and the other section 1345 cases is between a general grant of authority that may be broad enough to permit an agency to hold a conference as opposed to a specific statutory directive to hold a conference in order to implement the law. In 62 Comp. Gen. 531, B-193644, July 2, 1979, and B-166506.58, July 15, 1975, the conference/workshops were incidental to the agency's statutory duties. In 35 Comp. Gen. 129, the conference was, in many respects, the statutory duty.

We think the limited exception implicitly recognized in 35 Comp. Gen. 129 is directly applicable to this case. The statute establishing the Commission, the Family Support Act of 1988, requires the Commission to hold one or more national conferences on interstate child support reform. Just as the White House Conference on Education was to hold a conference with nationwide representation of educators, so here, Congress

intends a "national conference", Pub. L. No. 100-485, § 126, 102 Stat. 2354, to assist the Commission in preparing a report and recommendations to Congress on ways to improve the interstate child support enforcement system. The need for wide representation at the conference also is evident from Congress' specific directive that the Commission recommend revisions to the Uniform Reciprocal Enforcement Support Act (URESA), a model statute that has been adopted in 37 states, and developed and last revised in 1968 by the National Conference of Commissioners on Uniform State Laws, a body of judges, lawyers and legislators and law school professors appointed by legislatures and governors of each State. 9B Uniform Laws Annotated III (1987). The legislative history of the Family Support Act of 1988 indicates that while the Commission on Interstate Child Support is not to supplant the Commissioners on Uniform State Laws, the Commission is to facilitate and promote the work of the state body in revising the uniform statute, by holding one or more conferences to synthesize current knowledge and provide necessary guidance with regard to interstate child support enforcement. Sen. Rep. 377, 100th Cong., 2nd Sess. 23 (1988).<sup>1/</sup>

As in 35 Comp. Gen. 129, the law establishing the Commission was specifically designed to sanction, and, in fact, mandates the holding of a national conference to assist the Commission in preparing its report and recommendations.<sup>2/</sup> Further, the Commission is given power to adopt such rules for the organization and procedures it deems appropriate to carry out its duty to hold the Conference(s). Pub. L. 100-485, § 126, 102 Stat. 2355. Moreover, the Act authorizes appropriations for the purpose of carrying out section 126.<sup>3/</sup> Accordingly,

---

<sup>1/</sup> Membership of the Interstate Child Support Commission includes representatives of the Commissioners on Uniform State Laws, State child support enforcement agencies, State prosecutors or judiciary and advocates for custodial and non-custodial parents. H.R. Rep. No. 998, 100th Cong., 2nd Sess. 101 (1988).

<sup>2/</sup> The Budget Reconciliation Act of 1990 extended the authorization dates for the life of the Commission by one year. The Commission is now required to hold the conference sometime in fiscal year 1991 and the Commission's report is to be submitted no later than May 1, 1992. Pub. L. No. 101-508, § 5012, \_\_\_\_ Stat. \_\_\_\_ (1990).

<sup>3/</sup> Funds were appropriated by Public Law 101-166, 103 Stat. 1159, 1175 (1989). Public Law 101-517, 104 Stat. 2190, 2206, made the funds appropriated in fiscal year 1990 available through September 30, 1991. We are not aware of any

(continued...)

if the Commission determines that payment of costs for certain core invitees is essential to assist the Commission in its statutory duties and to ensure adequate representation at the National Conference, our Office would not object to the use of appropriated funds for such purposes.

*for Milton J. Fowler*  
Comptroller General  
of the United States

---

3/(...continued)  
discussion in the legislative history of the appropriation acts regarding payment of Conference expenses for invitees.