



COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON

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SEP 24 1941

The Honorable,
The Secretary of State.

My dear Mr. Secretary:

I have your letter of September 15, 1941, as follows:

"The Department of State Appropriation Act, 1942, approved June 26, 1941, appropriated, among other items, the amount of \$600,300 for salaries and expenses to carry out the purposes of the Act entitled 'An Act to authorize the President to render closer and more effective the relationship between the American republics', approved August 9, 1939.

"The applicable appropriation language authorizes the Secretary of State, subject to the approval of the President, to transfer various sums for direct expenditure by other Departments and among these there is provision to transfer not exceeding \$15,000 to the Department of Commerce for the use of the weather Bureau to further its program for training students from the other American republics in weather forecasting techniques.

"Prior to the transfer of funds to the weather Bureau, that organization submitted a plan of expenditures for the approval of the Secretary of State which included a proposed allotment of \$600 for 'Honorariums for special lectures'. With reference to this item, the weather Bureau has been informed that no obligations or expenditures should be incurred, notwithstanding an evidenced need in the conduct of its program, pending the receipt of a ruling from the General Accounting Office as to the availability of appropriated funds for this purpose.

"In as much as the Appropriation Act in reference authorizes, among other things, the payment of compensation to professional leaders, it is hoped that your office may find the appropriation language sufficiently broad to permit of the payment of honorariums to special lecturers from the funds which have been made available for cooperation with the other American republics.

"I shall greatly appreciate your early decision with regard to this matter in order that appropriate directives may be communicated to the weather Bureau."

Section 1 of the said act of August 9, 1939, 53 Stat. 1290, provides;

"That in order to render closer and more effective the relationship between the American republics the President of the United States is hereby authorized, subject to such appropriations as are made available for the purpose, to utilize the services of the departments, agencies, and independent establishments of the Government in carrying out the reciprocal undertakings and cooperative purposes enunciated in the treaties, resolutions, declarations, and recommendations signed by all of the twenty-one American republics at the Inter-American Conference for the Maintenance of Peace held at Buenos Aires, Argentina, in 1936, and at the Eighth International Conference of American States held in Lima, Peru, in 1938."

The appropriation for cooperation with the American republics as contained in the Department of State Appropriation Act, 1942, 55 Stat. 265, 276, is as follows:

"Salaries and expenses: For all expenses necessary to enable the Secretary of State to carry out the purposes of the Act entitled 'An Act to authorize the President to render closer and more effective the relationship between the American Republics', approved August 9, 1939, and to supplement appropriations available for carrying out other provisions of law authorizing related activities, including personal services in the District of Columbia; not to exceed \$70,000 for printing and binding; stenographic reporting, translating and other services by contract, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); expenses of attendance at meetings or conventions of societies and associations concerned with the furtherance of the purposes hereof; tuition, compensation, and monthly allowances while not in travel status, all to be fixed by the Secretary of State, and traveling expenses in the United States and abroad in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, of educational, professional, and artistic leaders, and professors, students, and internes, who are citizens of the United States or the other American republics; traveling expenses of members of advisory committees in accordance with section 2 of said Act of August 9, 1939 (22 U. S. C. 249a); hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; recording and sound-tracking of motion pictures; and purchase of books and periodicals, \$600,300; and the Secretary of State is hereby authorized, subject to the approval of the President, to transfer to other departments, agencies, and independent

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establishments of the Government for expenditure in the United States and in the other American republics not exceeding the following amounts, respectively: Department of Agriculture, \$50,000; Department of Commerce, for the Civil Aeronautics Board, \$10,000, for the Administrator of Civil Aeronautics, \$15,000, for the Coast and Geodetic Survey, \$32,000, and for the Weather Bureau, \$15,000; Federal Security Agency for the Public Health Service, including not to exceed two additional regular active commissioned officers, \$40,000, and the Office of Education, \$12,500; Department of the Interior, for the Fish and Wildlife Service, \$15,300, for the Geological Survey, \$50,000, and for the Travel Bureau, \$25,000; Department of Labor, for the Children's Bureau, \$15,000; Library of Congress, \$35,000; Smithsonian Institution, \$56,500."

The word "honorarium" is defined in Webster's New International Dictionary as follows:

"An honorary payment or reward, usually in recognition of gratuitous or professional services on which custom or propriety forbids any fixed business price to be set, or for which no payment can be enforced at law, as in case of counsel in Great Britain and in some of the United States, or in case of some physicians in England."

If administratively determined that the granting of "honorariums for special lectures" is necessary for the accomplishment of the purposes of the involved legislation, it would appear that such honorariums properly may be regarded as compensation within the meaning of the above-quoted appropriation act, and this office will not be required to object to the otherwise proper use of funds allotted under the above-quoted appropriation for the payment of such honorariums, subject, of course, to the limitations prescribed in the appropriation, and provided also that no honorariums are to be paid to Government officers or employees.

Respectfully,

(Signed) Lindsey L. Warren

Comptroller General
of the United States.