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The Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** Prize Drawing at Recruiting Events for Army  
Doctors

**File:** B-234241

**Date:** May 3, 1989

### DIGEST

The Army may use funds appropriated for recruiting and advertising to pay for framed recruiting posters for use as prizes for potential Army doctors in order to facilitate recruiting. Before the Army implements the plan, it should determine whether the award of a prize worth up to \$25 is consistent with its own regulations with regard to gifts to potential recruits.

### DECISION

The United States Army Health Professional Support Agency (HPSA) has requested our decision on whether it may conduct prize drawings at medical conventions to aid in the recruiting of doctors for the Army Medical Department. If such drawings are permissible, guidance is requested on the type and value of prizes which would be acceptable. For the reasons presented below, we conclude that such drawings are permissible.

In November 1987, the Army asked GAO to decide whether funds appropriated for recruiting and advertising could be used to pay for framed recruiting posters valued at \$25 to be given away in prize drawings at recruiting booths at conventions of student organizations. In our decision, B-230062, Dec. 22, 1988, we approved the use of funds for the purchase of prizes but requested that the Army determine whether the award of a prize worth \$25 was consistent with its own recruiting regulations. HPSA proposes giving away the same prize, a framed recruiting poster, to aid in recruiting doctors.

Under 31 U.S.C. § 1301(a) (1982), appropriated funds may be used only for the purpose for which they are appropriated. In B-230062, supra, we restated the two-part test we apply to determine whether a particular expenditure is permissible

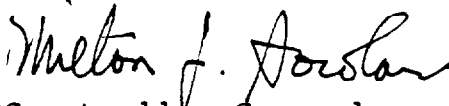
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even though it is not specifically provided for in the appropriation act. First of all, the expenditure "is permissible if it is reasonably necessary in carrying out an authorized function or will contribute materially to the effective accomplishment of that function, and if it is not otherwise prohibited by law." 66 Comp. Gen. 356 (1987). To pass the second part of the test, there must be a reasonable nexus between each expenditure and a benefit to the agency's function. In B-230062, supra, we found that the awarding of a prize in the circumstances described met both parts of the test when the potential recipients were students.

The reasoning supporting the award of prizes for recruiting high-school students applies to the recruiting of doctors. According to 10 U.S.C. § 3032 (1982), recruiting is one of the duties imposed on the Secretary of the Army and the Army Staff. Army Regulation 601-208, May 15, 1983, lists as one of objectives of recruiting the influencing of qualified personnel to volunteer for the Army Medical Department as doctors.

With regard to the Army's question about the exact nature and value of the prizes to be given away, we reiterate the statements made in B-230062, supra. There we requested that the Army review its own regulations, particularly AR 601-208 which prohibits recruiting souvenirs of more than "slight monetary value," to determine whether a \$25 recruiting poster is an appropriate prize. Paragraph 5 of United States Army Recruiting Command Regulation 5-3, September 15, 1984, which contains detailed guidance concerning appropriate recruiting methods, might also be of interest to the Army in its deliberation. The Army should make the determination since it is primarily responsible for interpreting its own regulations. Ordinarily, we will not question an agency's reasonable interpretation of its own regulations. See 63 Comp. Gen. 154 (1984).

In conclusion, if the Army determines that recruiting posters worth up to \$25 are appropriate under its regulations as prizes for potential members of the Army Medical Department, we would not object to the expenditure of appropriated funds for that purpose.

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Comptroller General  
of the United States