

Armstrong



**The Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: United States Embassy, London--Use of
Representation Funds for Reimbursement of Rental
of Ceremonial Dress

File: B-235916

Date: August 23, 1989

DIGEST

The State Department may use representation funds to reimburse costs incurred by embassy officers in renting formal evening dress required of staff accompanying Ambassador in presenting his credentials to the Queen.

DECISION

An authorized certifying officer of the Department of State, stationed at the American Embassy in London, has asked whether the Ambassador, as chief of mission of the Embassy, may use representation funds appropriated to the State Department and allotted to the Embassy to reimburse six Embassy officers the cost of renting ceremonial dress. Protocol required the officers to wear formal evening dress when they accompanied the Ambassador in presenting his credentials to the Queen, the head of state of the United Kingdom.

As explained below, we conclude that the Ambassador may reimburse such costs from representation funds.

BACKGROUND

On May 17, 1989, the newly appointed United States Ambassador to the United Kingdom presented his credentials to the Queen as required by protocol. At the Ambassador's direction, the Embassy's eight most senior officers accompanied him. According to the certifying officer, the officers could not decline to attend the ceremony.

The officers wore formal evening dress in accordance with instructions of the Marshal of the Diplomatic Corps, Ambassadors Court, St. James Palace. The six male officers were obliged to rent their attire. The certifying officer notes that occasions requiring such attire are rare in the modern diplomatic world, and that most Foreign Service officers can have a long career without ever attending one.

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The Congress appropriated about \$4.6 million to the State Department for "representation allowances" for fiscal year 1989. Pub. L. No. 100-459, 102 Stat. 2204 (1988). These funds are available to pay the expenses of the Department in providing proper representation of the United States and its interests. 22 U.S.C. § 4085.

Under Department regulations, the appropriation for representation allowances is apportioned annually to embassies and other missions, and the chief of mission at each location is authorized to use his allotment, at his discretion, for any expenditure not specifically prohibited by law or regulation. See generally 3 Foreign Affairs Manual 340.

The Ambassador, as chief of mission of the Embassy in London, has instructed the certifying officer, subject to our approval, to certify payment from the Embassy's allotment of the costs incurred by the six Embassy officers in renting their evening dress.

DISCUSSION

As a general rule, we consider most items of apparel as the personal responsibility of the employee; they are not provided at public expense, even when worn in the course of public business. See 67 Comp. Gen. 592, 593 (1988). However, in this instance, the State Department's appropriation for representation allowances provides the statutory authority for reimbursement of the apparel rental charges incurred by the six Embassy officials.

The purpose of a representation appropriation is to permit certain expenditures that the law may not otherwise allow. B-223678, June 5, 1989. That is not to say, however, that it is available to pay for the normal social obligations of individual officers and employees that, like other personal expenses, must be borne by the officer or employee. Cf. B-232165, June 14, 1989; B-223678 June 5, 1989. Rather, the Secretary of State may authorize the use of the Department's representation appropriation to pay only those expenses incurred in providing proper representation of the United States and its interests. 22 U.S.C. § 4085.

Palace protocol required that those attending the credentials ceremony, an official diplomatic ceremony, wear formal evening attire. Appearing in other dress would, undoubtedly, have affronted the host country's etiquette, resulting in considerable embarrassment to the Ambassador and the United States. Consequently, we conclude that the costs of renting the evening attire is an appropriate use of State Department representation funds.

Milton F. Jordan

Acting Comptroller General
of the United States