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B-129102, Oct. 2, 1956

Number: B-129102

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B-129102, OCT. 2, 1956

TO MR. MANLEY W. ALLEN, AUTHORIZED CERTIFYING OFFICER, DEPARTMENT OF THE INTERIOR:

REFERENCE IS MADE TO YOUR LETTER OF AUGUST 29, 1956, ENCLOSING A BILL FROM THE COSMOS CLUB COVERING THE COST OF A DINNER FOR ELEVEN PERSONS, AND REQUESTING OUR DECISION AS TO WHETHER SUCH BILL MAY BE PAID. YOUR LETTER INDICATES THAT THE DINNER WAS ARRANGED FOR A GUEST SPEAKER, REPRESENTATIVES OF THE WOODROW WILSON FOUNDATION, AND OTHERS, BY MR. ARTHUR SWEETSER, A MEMBER OF THE WOODROW WILSON CENTENNIAL CELEBRATION COMMISSION, PRIOR TO THE SHOWING BY THE COMMISSION OF A FILM ON JUNE 28, 1956. IT IS REPORTED THAT THE COMMISSION'S EXECUTIVE COMMITTEE DECLARED THESE PERSONS WERE OFFICIAL GUESTS AT AN OFFICIAL COMMISSION FUNCTION AND THAT THE COST OF THE DINNER WOULD BE A PROPER CHARGE AGAINST COMMISSION FUNDS, EITHER BY DIRECT PAYMENT TO THE COSMOS CLUB OR BY REIMBURSEMENT OF MR. SWEETSER.

THE WOODROW WILSON CENTENNIAL CELEBRATION COMMISSION WAS CREATED BY PUBLIC LAW 705, 83RD CONGRESS, APPROVED AUGUST 30, 1954, 68 STAT. 964. IS COMPOSED OF TWO MEMBERS OF EACH HOUSE OF THE CONGRESS, THE DIRECTOR OF THE NATIONAL PARK SERVICE AND SEVEN OTHERS APPOINTED BY THE PRESIDENT ON RECOMMENDATIONS OF THE GOVERNOR OF THE STATE OF VIRGINIA AND VARIOUS PATRIOTIC ORGANIZATIONS INTERESTED IN HONORING WOODROW WILSON, SUCH AS THE WOODROW WILSON FOUNDATION. THE MEMBERS RECEIVE NO SALARIES FOR THEIR SERVICES ON THE COMMISSION. SECTION 2 AND SECTION 4 (A) OF THE ACT RESPECTIVELY PROVIDE IN PERTINENT PART AS FOLLOWS:

"SECTION 2. THE FUNCTIONS OF THE COMMISSION SHALL BE TO DEVELOP AND TO EXECUTE SUITABLE PLANS FOR THE CELEBRATION, IN 1956, OF THE ONE HUNDREDTH ANNIVERSARY OF THE BIRTH OF WOODROW WILSON IN STAUNTON, VIRGINIA. * * *

"SECTION 4 (A). THE COMMISSION IS AUTHORIZED * * * TO COOPERATE WITH PATRIOTIC AND HISTORICAL SOCIETIES * * *. THE COMMISSION, TO SUCH EXTENT AS TI FINDS TO BE NECESSARY, MAY, WITHOUT REGARD TO THE LAWS AND PROCEDURES APPLICABLE TO FEDERAL AGENCIES, PROCURE SUPPLIES, SERVICES, AND PROPERTY AND MAKE CONTRACTS, AND MAY EXERCISE THOSE POWERS THAT ARE NECESSARY TO ENABLE IT TO CARRY OUT EFFICIENTLY AND IN THE PUBLIC INTEREST THE PURPOSES OF THIS RESOLUTION.'

THE ACTS APPROPRIATING FUNDS FOR THE COMMISSION HAVE NOT STATED IN DETAIL THE PURPOSES FOR WHICH SUCH FUNDS MAY BE EXPENDED. THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION ACT, 1956, 69 STAT. 141, 157, APPROPRIATED $10,000 "FOR EXPENSES NECESSARY TO CARRY OUT THE PROVISIONS OF THE ACT OF AUGUST 30, 1954," THE LEGISLATIVE APPROPRIATION ACT, 1956, 69 STAT. 499, 519, APPROPRIATED $41,500 "FOR AN ADDITIONAL AMOUNT FOR "WOODROW WILSON CENTENNIAL

CELEBRATION COMMISSION," " AND THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION ACT, 1957, 70 STAT. 257, 273, APPROPRIATED $48,500 "FOR EXPENSES NECESSARY TO CARRY OUT THE PROVISIONS OF THE ACT OF AUGUST 30, 1954.'

THE FURNISHING OF DINNERS, LUNCHEONS, ETC., HAS ALWAYS BEEN CONSIDERED ENTERTAINMENT, AND IT IS A GENERAL RULE OF LONG STANDING AS TO GOVERNMENT DEPARTMENTS GENERALLY THAT EXPENDITURES FOR ENTERTAINING INDIVIDUALS MAY BE MADE ONLY WHEN AUTHORIZED BY STATUTE AND AUTHORIZED AND APPROVED BY PROPER ADMINISTRATIVE OFFICIALS. SEE 26 COMP. GEN. 281, 5 ID. 455; ID. 1018. CF. B-84184, MARCH 17, 1949; B-81984, JANUARY 6, 1949; B-64173, APRIL 25, 1947. HOWEVER, THE COMMISSION IS AUTHORIZED IN CARRYING OUT ITS FUNCTIONS TO COOPERATE WITH PATRIOTIC AND HISTORICAL SOCIETIES INTERESTED IN HONORING WOODROW WILSON AND IT SPECIFICALLY IS AUTHORIZED BY SECTION 4 (A) OF PUBLIC LAW 705 TO PROCURE SERVICES AND MAKE CONTRACTS WITHOUT REGARD TO THE LAWS AND PROCEDURES APPLICABLE TO FEDERAL AGENCIES TO THE EXTENT IT FINDS IT NECESSARY TO ENABLE IT TO CARRY OUT EFFICIENTLY AND IN THE PUBLIC INTEREST THE PURPOSES OF THE ACT. THE DINNER IN QUESTION, GIVEN TO MEMBERS OF THE WOODROW WILSON FOUNDATION, MIGHT REASONABLY BE EXPECTED TO CONTRIBUTE TO SECURING THE COOPERATION OF THAT FOUNDATION IN CARRYING OUT THE PURPOSES OF THE COMMISSION. ACCORDINGLY, AND AS ITS EXECUTIVE COMMITTEE APPROVED PAYMENT AS A PROPER CHARGE AGAINST THE COMMISSION'S FUNDS, THE BILL, WHICH IS RETURNED HEREWITH, MAY BE CERTIFIED FOR PAYMENT, IF OTHERWISE PROPER.