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B-145430, May 9, 1961

Number: B-145430

Date: 1961-05-09

B-145430, MAY 9, 1961

TO ADMINISTRATOR, VETERANS ADMINISTRATION:

REFERENCE IS MADE TO YOUR LETTER OF MARCH 23, 1961, REQUESTING OUR DECISION AS TO WHETHER IT IS LEGALLY PROPER FOR THE VETERANS ADMINISTRATION TO ENTER INTO CONTRACTS WITH LOCAL RESTAURANTS FOR MEALS TO BE FURNISHED WITHOUT CHARGE TO UNCOMPENSATED VOLUNTEER WORKERS AT CERTAIN VETERANS ADMINISTRATION OUTPATIENT CLINICS.

YOU STATE THAT THE VETERANS ADMINISTRATION PRESENTLY AUTHORIZES HOSPITALS TO FURNISH MEALS IN KIND WITHOUT CHARGE TO VOLUNTEER WORKERS, WHENEVER THEIR SCHEDULED ASSIGNMENT EXTENDS OVER AN ESTABLISHED MEAL PERIOD. YOU FURTHER STATE THAT BECAUSE SOME OF THE VETERANS ADMINISTRATION OUTPATIENT CLINICS ARE NOT LOCATED AT HOSPITALS THE VOLUNTEER WORKERS AT THESE CLINICS CANNOT BE FURNISHED MEALS. BECAUSE THESE VOLUNTEER WORKERS ARE PERFORMING A VALUABLE SERVICE, THE VETERANS ADMINISTRATION FINDS IT DESIRABLE TO FURNISH MEALS TO THEM FREE OF CHARGE WHEN THEIR SCHEDULED ASSIGNMENT EXTENDS OVER A MEAL PERIOD.

SECTION 213 OF THE ACT OF SEPTEMBER 2, 1958, 72 STAT. 1115, 38 U.S.C. 213, CITED IN YOUR LETTER, PROVIDES AS FOLLOWS:

"THE ADMINISTRATOR MAY, FOR PURPOSES OF ALL LAWS ADMINISTERED BY THE VETERANS' ADMINISTRATION, ACCEPT UNCOMPENSATED SERVICES, AND ENTER INTO CONTRACTS OR AGREEMENTS WITH PRIVATE OR PUBLIC AGENCIES OR PERSONS, FOR SUCH NECESSARY SERVICES (INCLUDING PERSONAL SERVICES) AS HE MAY DEEM PRACTICABLE.'

THIS STATUTE EXPRESSLY AUTHORIZES YOU TO ACCEPT THE VOLUNTARY SERVICES UNDER CONSIDERATION AS ARE NECESSARY TO THE EFFECTIVE EXECUTION OF THE STATUTORY DUTIES AND RESPONSIBILITIES OF THE VETERANS ADMINISTRATION. VIEW THEREOF, IF, AS INDICATED, IT IS ADMINISTRATIVELY DETERMINED IN THE INTEREST OF THE GOVERNMENT TO FURNISH MEALS WITHOUT CHARGE TO VOLUNTEER WORKERS AT THE OUTPATIENT CLINICS WHEN THEIR SCHEDULED ASSIGNMENT EXTENDS OVER A MEAL PERIOD, WE WOULD NOT OBJECT TO REASONABLE EXPENDITURES THEREFOR, SUCH EXPENDITURES TO BE CHARGED TO THE APPROPRIATIONS MADE AVAILABLE FOR THE NECESSARY EXPENSES OF THE OUTPATIENT CLINICS.