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National Park Service Cable Television Subscription

Number: B-254295

Date: 1993-11-24

Matter of: National Park Service Cable Television Subscription File: B-254295 Date: November 24, 1993

APPROPRIATIONS/FINANCIAL MANAGEMENT Appropriation Availability Purpose availability Necessary expenses rule Cable television The San Antonio Missions Historical Park may use the Operation of the National Park Service appropriation to subscribe to a cable television service which broadcasts local government affairs programming. The subscription is a permissible necessary expense because it would reduce employee time away from the office needed to attend local government proceedings and would assist in dealings with the other governmental entities which also operate the Park.

DECISION

BACKGROUND

According to the submission, the San Antonio Missions National Historical Park (Park) is operated by the cooperative efforts of over 27 governmental and public entities. Park officials work daily with officials from the City of San Antonio, Bexar County, San Antonio Conservation Society, and the San Antonio River Authority. Since many of the cooperators are governed by boards, councils, commissions, or some other formal assembly, the actions taken at their meetings affect the management of the Park. The Acting Park Superintendent states that attending these meetings can be difficult and points out that the local cable television company provides a public service by broadcasting, live, most of the important meetings on a public and government access channel. This service is available only through subscription to the local cable company.

The Acting Superintendent claims that monitoring these meetings from the office, in lieu of sending personnel, would enhance efficiency. The certifying officer concludes that acquiring the cable television service would enable employees, with the information obtained through this media, to provide service to visitors of the Park more efficiently and to become more cost effective by reducing employee time away from primary duties. The basic cable service varies in price per month from $29.95 to $38.95, depending on the length of the subscription. A single television would be serviced by the subscription and it would be located in the Park headquarters conference room. The annual appropriation, "Operation of the National Park System," would be charged for the cost of the service.

ANALYSIS

In Pub. L. No. 102-381, 106 Stat. 1374, 1381 (1992), Congress, under the heading "Operation of the National Park System," appropriated funds "[f]or expenses

necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service . . . and for the general administration of the National Park Service." (Similar language is included in prior years' appropriation acts.) Section 1301(a) of title 31, United States Code, states one of the basic tenets on the use of appropriated funds: appropriated funds may be used only for purposes for which they were appropriated. Since there is no applicable law which specifically authorizes the use of appropriated funds for subscribing to cable television, the issue here is whether the Park Service may treat a cable television subscription as a "necessary expense" of its operation appropriation.

We have long held that an appropriation made for a particular purpose, by implication, confers authority to incur expenses which are reasonably necessary or incident to the proper execution of that purpose. 71 Comp. Gen. 527, 528 (1992). As a general rule, appropriations for "necessary expenses" of an agency may be used for purposes not specifically set forth in the appropriations act if the expenses in question are for the direct support of the agency's mission. Id.

We have not previously objected to other agencies procuring cable television service. See B-237789, Dec. 10, 1990. Recently, in B-239774, July 22, 1991, we held that the Federal Trade Commission (FTC) was authorized to use appropriated funds to pay for cable television service installed in an employee's home. We concluded that the cable television costs primarily benefitted the government because cable service was not otherwise available to FTC and the Commission was thereby enabled to monitor advertising on cable television, an objective in direct furtherance of its statutory mission.

The cable television subscription in the present case would allow Park officials to monitor local government and public proceedings broadcast on the government access channel, thus saving time and travel for officials who would otherwise attend the meetings. Since the actions taken by the local governments and public authorities can directly impact upon the management of the Park, access to television coverage of the relevant proceedings, and awareness of the decisions taken, directly supports the Park Service's mission of operating and managing the Park. Thus, the cable television subscription can be justified as a necessary expense of the operations appropriation as long as relevant broadcast coverage of local government meetings continues to be provided by the cable television company.

In subscribing to the cable television service, the Park may only make payment after service has been rendered. 31 U.S.C. 3324 prohibits the advance of public money unless authorized "by a specific appropriation or other law." We have previously applied this prohibition specifically to cable television service. B-237789, Dec. 10, 1990. Consequently, the Park will have to make arrangements with the cable television provider so that payment is made only for service rendered.