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Use of Representation Funds for Reimbursement of Rental of Formal Morning Dress

Number: B-256936

Date: 1995-06-22

Matter of: Use of Representation Funds for Reimbursement of Rental of Formal Morning Dress File: B-256936 Date: June 22, 1995

State Department may use representation funds to reimburse Ambassador and Deputy Chief of Mission for costs of renting formal morning dress required by protocol for official occasions.

DECISION

A certifying officer for the Department of State, stationed at the Embassy in London, asks if he may use representation funds appropriated to the State Department and allotted to the Embassy to reimburse the Ambassador and the Deputy Chief of Mission the costs they incurred in renting formal morning wear to represent the United States on two separate State occasions in Great Britain. We conclude that the State Department has the discretion to authorize the reimbursements.

The Ambassador is required to attend the Trooping of the Colors ceremony held annually to mark the British sovereign's birthday. The Ambassador attended the June 11, 1994 ceremony, and according to the certifying officer, British protocol required that he wear formal morning dress consisting of a top hat, coat, vest, shirt, cummerbund, tie, pants, suspenders and gloves. The current Ambassador does not own morning dress and rented it for the ceremony.

On an earlier occasion, the Deputy Chief of Mission, after the departure of the previous Ambassador and prior to the arrival of the current Ambassador, represented the United States at the Queen's official reception for the President of Zimbabwe, who was on a State visit to the United Kingdom. Again, protocol required that he wear morning dress. The Deputy does not own morning dress and rented it for the occasion.

As a general rule, the cost of most items of apparel is considered a personal expense not payable from agency appropriations. 67 Comp.Gen. 592, 593 (1988). The certifying officer proposes, however, to use the Department's representation appropriations rather than general operating appropriations. The purpose of a representation appropriation is to permit certain expenditures that the law may not otherwise allow. 68 Comp.Gen. 638, 639 (1989). Representation allowances are available specifically to pay the expenses of the Department in providing proper representation of the United States and its interests. 22 U.S.C. Sec. 4085. Under State 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

provided the expense is incurred in providing proper representation of the United States and its interests. See generally 3 Foreign Affairs Manual 340.

Since protocol demanded the unusual requirement of morning dress, we would not object to the use of the Department's representation appropriations, so long as the Secretary of State, or an Ambassador acting under the authority delegated to him, concludes that proper representation of the United States in the United Kingdom requires wearing morning dress in conformance with the dictates of British protocol. See 71 Comp.Gen. 447 (1992); 68 Comp.Gen. at 640.

We note, however, that current State Department regulations specifically provide that "representation allowances shall not be used for . . . rental of formal wear for any occasion . . . ." [1] State Department Standardized Regulations 330g, TL:SR - 465 (2/24/91). While we do not object to the use of representational funds as discussed herein, the Department, if it decides to use its funds in this manner, should revise its regulations accordingly.

1. The regulations contain an exception for "rental costs incurred for ceremonial dress (formal evening wear) required of staff accompanying an Ambassador in presenting his/her credentials to the head of state." State Department Standardized Regulations 320g, TL:SR-465 (2/24/91).