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B-80621 October 8, 1964

Number: B-80621

Date: 1964-10-08

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Administrator, Housing and Home Finance Agency.

My dear Mr. Folsy:

I have your letter of October 6, 1948, in which you request decision upon the question of whether the expenses of attendance of a representative of your Agency at a meeting of the Pacific Building Officials Conference and the Uniform Building Code Association at Sacramento, California, during the period October 12 to 15, 1948, fall within the purview of, and are subject to the previsions in the Government Corporations Appropriation Act, 1949, approved June 30, 1948, 62 Stat. 1191. That act reads in part, as follows:

"Not to exceed 83,000 of the funds available to the Housing and Home Finance Agency for expenses of travel shall be available, when specifically authorized by the Administrator or head of the constituent agency concerned, for expenses of attendance at meetings of organizations concerned, for expenses of attendance at meeting of organizations concerned which the function or activity for which the appropriation or authorization is made."

That provision appears to have been included in the appropriation met solely for the purpose of overcoming the prohibitions contained in section 8 of the act of June 26, 1912, 37 Stat. 18th, and the Joint Resolution dated February 2, 1935, 49 Stat. 19, reading respectively as follows:

"Sec. 8. No money appropriated by this or any other Act shall be expended for membership fees or dues of any officer or employee of the United States or expenses of attendants of any person at any meeting or convention of members of any authorized to be paid by specific appropriations for such purposes or are provided for in express term in some general appropriation."

"That, unless, specifically provided by law, no moneys from funds appropriated for any purpose shall be used for the purpose of lodging, feeding, conveying, or furnishing transportation to, any conventions or other from of assemblage or gathering to be held in the district of Columbia or elsewhere. This section shall not be construed to prohibit the payment of expenses of any officer or employee of the Government in the discharge of his official duties."

Section 301 of the Housing Act of 1948, Public Law 901, approved August 10, 1948, 62 Stat. 1276, which was enacted subsequent to the date of enactment of the Government Corporations Appropriation Act of 1949, approved June 30, 1948, supra, requires the Housing and Home Finance Administrator to "undertake and

conduct technical research and studies to develop and promote the acceptance and application of improved and standardized building code and regulations and methods for the more uniform administration thereof." Thereafter, there was enacted Public Law 904, approved August 13, 1948, 62 Stat. 1289, 1290, which increased the amount available for administrative expenses in the Office of the Administrator from $750,00 to $1,050,00.

In carrying out his function, the Administrator is authorized by section 501(a)(1) of the Housing Act of August 10, 1948, 62 Stat. 1284, to accept and utilize the equipment facilities or services of employees of non-profit agencies or organizations with consent of the agency or organization concerned. It is stated that the Pacific Coast Building Officials Conferences, a non-profit service organization supported by memberships and publishing royalties, and its national affiliate, the Uniform Building Code Association, have participated actively in a move to encourage national uniformity of building laws through the various building officials organizations, that the Uniform Building Code Association sponsors a Uniform Code which has been adopted by 460 cities and counties in 36 states; that said code is reviewed and reissued every three years; and that during the period October 12 to 15, 1948, the Conference and Association are meeting in Sacramento for general discussion and session on proposed revisions to the 1946 Uniform Building Code.

From the information furnished, it appears that the attendance of a representative of your agency at the scheduled meeting would be directly in furtherance of the duties specifically imposed upon the Housing and Home Finance Administrator by section 301 of the Housing act of 1948, Public Law 901, approved August 10, 1948, 62 Stat. 1276. Also, it appears that it has been determined that the required new building codes program can be carried forward at a saving in time and expense through the attendance of an agency representative at the meeting. Under such circumstances, it is considered that the expenses of attendance at the meeting would not be within the prohibitions contained in the act of June 26, 1912, 37 Stat. 18h, and the Joint Resolution dated February 2, 1935, 49 Stat. 19, and that such expenses are payable from funds available for travel, generally. Also, such expenses are not covered by and are not limited by the limitation provision for the Housing and Home Agency contained in the Government Corporations Appropriation Act, approved June 30, 1948, 62 Stat. 1191, supra.

Respectfully,

Comptroller General of the United States.