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B-168774

JAN 23 1970

Dear Mr. Secretary:

By letter dated January 7, 1970, your Assistant Secretary for Administration requested a decision as to the legality of program funds paying for the expenditures incurred for meals served during business meetings under the circumstances set forth below.

The letter stated that the Department of Labor must periodically direct meetings of national advisory groups, managerial groups, and/or key personnel to review problem areas and determine corrective action to resolve the problem areas. At such meetings speakers present briefings on subject matters directly bearing on the problem areas.

To hold these meetings to a one or two day period the groups involved are required to stay together during working sessions. Business is also conducted during meal sessions at which speakers present topics relating to the problem areas thus achieving maximum business accomplishment by avoiding delays in reconvening work groups. It is stated that the meal sessions could involve breakfast, dinner and supper.

It is also stated that generally such meetings do not involve employees in a travel status. It is proposed that where employees, private experts, or consultants are paid travel and per diem expenses, the cost of such meals would be deducted from their per diem allowance at the rate of \$2.50 per meal.

We do not know of any statute and none has been called to our attention which reasonably could be construed as authorizing payment of the expenses of furnishing meals under the described circumstances. It is established that the Government may not pay the subsistence expenses of or furnish free food to civilian employees at headquarters in addition to their regular compensation without specific authority of law even though they may be working under unusual conditions. See 42 Comp. Gen. 149 (1962) and authorities therein cited. Since it is stated that generally such meetings do not involve employees in a travel status, it is presumed that the meetings generally take place at the employees' headquarters. Accordingly, the decision in 42 Comp.

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SUBSISTENCE
Meals furnished civilian employees
Authorization requirement

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SUBSISTENCE
Per diem
Headquarters
Authority

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Gen. 149, ^{4/} would be for application and payment from Government funds for the cost of meals while attending such meetings would not be authorized.

Sincerely yours,
Agency
Refreshments etc.

R.F.KELLER

Assistant Comptroller General
of the United States

The Honorable
The Secretary of Labor