

**OFFICIAL REPRESENTATION FUNDS (ORF)**

22 August 2003

ORF GUIDANCE MEMORANDUM NO. 5

Subj: USE OF ORF AT MEETINGS, CONFERENCES, SEMINARS, ETC.

Ref: (a) ORF GUIDANCE MEMORANDUM NO. 2

Encl: (1) ASN(FM&C) memo dtd 18 Apr 03  
(2) Use of ORF Chart

Reference (a) provided an in-depth review regarding use of ORF at meetings, conferences, seminars, etc. and enclosed a chart to assist naval commanders in determining whether ORF or O&M,N funds may be used at a conference, meeting, seminar, etc.

However, enclosure (1) advised of a Comptroller General decision (CompGen Decision B-288266, 27 Jan 03) stating that the General Services Administration (GSA) does not have the authority to authorize Federal agencies to use appropriated funds to pay for an employee's food or light refreshments, except for employees on official travel. Therefore, reference (a) is superceded and enclosure (2) is provided for ORF policy guidance only. Should your activity have questions regarding use of O&M,N funds to pay for food and/or light refreshments under authority of 5 U.S.C. §4109 and §4503, or 10 U.S.C. §2013, please consult with the proper financial or legal authority in your chain of command.

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APR 18 2003

MEMORANDUM FOR DISTRIBUTION

Subj: CLARIFICATION OF USE OF APPROPRIATED FUNDS TO PROCURE  
LIGHT REFRESHMENTS

Ref: (a) CompGen Decision B-288266 of 27 Jan 03  
(b) OASN(FM&C) Memo 7150 FMB-56 of 31 May 00  
(c) JFTR U2550  
(d) JTR C4950  
(e) CompGen Decision B-223319 of 21 July 1986  
(f) SECNAV Memos of 8 Jan 02  
(g) OPNAVINST 5050.24F of 20 Jun 02  
(h) Marine Corps Order 7300.22

By reference (a), the Comptroller General (CompGen) published a decision on the use of appropriated funds to pay for light refreshments at conferences, which supercedes the guidance provided in references (b) through (d). The decision states that the General Services Administration (GSA) does not have the authority to authorize agencies to use appropriated funds to pay for an employee's food and light refreshments, except as part of the employee's travel subsistence allowance for those who are in a travel status. While serving light refreshments to conference attendees might be a common business practice in private industry, the expenditure of public funds must be anchored in existing law, not the practices and conventions of the private sector. Effective immediately, appropriated funds are not authorized to pay for light refreshments at conferences.

The GAO decision does not change the rules for the use of appropriated funds to pay for food under other authorities, such as those relating to training (5 USC 4109 for civilians and 10 USC 2013 for uniformed personnel) under the circumstances discussed in reference (a), and receptions for awards made under the provisions of 5 USC 4503, as discussed in reference (e). Activities should be diligent in ensuring the authorities are not misused, as improper use of appropriated funds could lead to a potential Antideficiency Act violation. Also, because the GSA's Federal Travel Regulation (FTR) forms the basis for the guidance contained in references (c) and (d), it is important to ensure activities under your cognizance are expeditiously informed of this change.

Additionally, activities should ensure that DON conferences are officially approved consistent with the requirements delineated in references (f) through (h). Activities are reminded that, absent affirmative statutory authority, conference fees may not be collected and used to offset the cost of the conference or to reimburse or supplement the appropriation from which the conference is funded.

My point of contact is Mr. Louis P. Calabro, Jr., FMB-51, who can be reached on (703)693-6586, or by e-mail at calabro.louis@hq.navy.mil.

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DIONEL M. AMIES  
Assistant Secretary (Financial Management and Comptroller)

# USE OF ORF IN CONJUNCTION WITH CONFERENCES/SEMINARS/MEETINGS

ORF

CONFERENCES/MEETINGS/  
ETC.

Are the attendees DoD personnel and:

- Foreign military/civilians
- Prominent/distinguished U.S.citizens
- State Government Officials
- Local Government Officials

ORF may be used for official hosted function if:  
At least 20% non-DoD (less than 30 persons)  
At least 50% non-DoD (more than 30 persons)

If hosting multiple functions with the same group, only one function can use ORF for both DoD and non-DoD attendees; any other hosted functions, ORF can only be used for non-DoD attendees.  
See SECNAVINST 7042.7J, ¶6d(9).

DoD personnel on TDY/TAD attending conference/meeting must reimburse ORF for meals.  
See SECNAVINST 7042.7J  
¶6b(2).