

DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS AIR FORCE MATERIEL COMMAND  
WRIGHT-PATTERSON AIR FORCE BASE, OHIO

*Kyle Murray*  
5311  
10-1-94



121 JUL 1994

MEMORANDUM FOR ALHQCTR/CC/FM  
ALHQDRU/CC/FM/RM  
ALHQSTAFF

FROM: HQ AFMC/FM  
4375 Chidlaw Road, Suite 6  
Wright-Patterson AFB OH 45433-5006

SUBJECT: Meals at the Official Duty Station

1. Many questions have been asked regarding the proper use of appropriated funds to pay for meals during meetings or conferences at an individual's official duty station. AFR 172-1, Chapter 4, Section T, paragraph 4-62 a. (3) states, "the government generally will not reimburse employees for meals consumed at their official duty stations." A 1993 Comptroller General Decision (B-249795) provides a clear understanding on this subject. An abstract of this decision is provided below.

2. In the absence of statutory authority, the government may not furnish meals or refreshments to employees within their official duty stations. As a general rule, appropriated funds are not available to pay subsistence or free food to government employees at their official duty stations. In addition to the obvious reason that food is a personal expense and government salaries are presumed adequate to enable employees to eat regularly, furnishing free food might violate 5 U.S.C. 5536, which prohibits an employee from receiving compensation in addition to the pay and allowances fixed by law.

3. There are limited exceptions to this general rule:

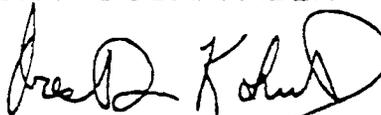
a. The Government Employees Training Act (the Act), 5 U.S.C. 4109, authorizes agencies to reimburse necessary subsistence expenses incurred by those who attend training programs at their duty stations. However, merely referring to a meeting or event as training is insufficient to invoke the training exception. The event must comply with the Act's definition of "training" (U.S.C. 4101 (4)). Merely providing an open forum to discuss topics, suggestions, issues or problems in a scheduled and structured atmosphere does not qualify a program of instruction or training, as used in the Act's definition of training. The Act is intended to allow the use of appropriations to pay for the training or provide for meals that are incidental to training, not to provide food for government employees at general meetings.

b. The Act also provides the basis for an exception that is not strictly limited to training situations. Under 5 U.S.C. 4110, payment is permitted when a determination is made that the meal is (1) incidental to the conference or meeting, (2) that attendance at the meal is necessary for full participation in the business of the meeting, (3) that the employees are not free to take meals elsewhere without missing essential formal discussions, lectures, or speeches concerning the purpose of the meeting, and (4) that the meal is part of a formal conference or meeting that includes not only functions such as speeches or business carried on during a seating at a meal, but also includes substantial functions taking place separate from the meal. However, this exception **does not authorize** the payment of meal expenses in connection with internal business meetings or conferences sponsored by government agencies.

c. There is a clear distinction between the payment of meals incidental to formal conferences or meetings, typically externally organized or sponsored, involving topical matters of general interest to government and nongovernment participants, and internal business or information meetings primarily involving the day-to-day operations of government.

4. This information is provided to ensure compliance with public law. This is a coordinated HQ AFMC/FM/IG/JA response. Please address any additional questions/concerns to our point of contact, Lt Col Charlie Shuck, HQ AFMC/FMB, DSN 787-6188.

FOR THE COMMANDER



OREST L. KOHUT  
Brigadier General, USAF  
Director, Financial Management  
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