

## **3 FAM 3240 REPRESENTATION ALLOWANCES**

*(TL:PER-487; 10-31-2003)  
(Office of Origin: HR/ER)*

### **3 FAM 3241 GENERAL INFORMATION**

#### **3 FAM 3241.1 Purpose of Representation Allowances**

*(TL:PER-487; 10-31-2003)  
(Uniform State/BBG/Commerce/ Foreign Service Corp-USDA)  
(Applies to Foreign Service Employees Only)*

- a. The purpose of representation allowance is to enable the Department and the Foreign Service to provide for the proper representation of the United States, thus furthering foreign policy objectives. This is the only reason for the availability of such funds and the only criterion for their use.
- b. Representation funds do not accrue to any officer or employee solely by virtue of rank, title, or position. Rather, they are available for expenses incurred on behalf of the U.S. Government. They are not meant to take care of normal social obligations as members of the community. Entitlement to the use of a specified amount of such funds is granted to individual officers or employees on an ad hoc basis.

#### **3 FAM 3241.2 Authority**

*(TL:PER-487; 10-31-2003)  
(Uniform State/BBG/Commerce/ Foreign Service Corp-USDA)  
(Applies to Foreign Service Employees Only)*

- a. The legal and regulatory authority is: Section 905 of the Foreign Service Act of 1980, as amended (22 U.S.C. 4085).
- b. Related regulations: Department of State Standardized Regulations (DSSR) 300.
- c. For USAID, see ADS 610, Use of Entertainment Account, Representation Allowances and Program and Operating Expense Funds for Entertainment.

### **3 FAM 3241.3 Guidelines for Representation Allowances**

*(TL:PER-487; 10-31-2003)*

*(Uniform State/BBG/Commerce/Foreign Service Corp-USDA)*

*(Applies to Foreign Service and Civil Service Employees)*

The guidelines for representation allowances are as follows:

- (1) Expenditures for tangible gifts normally do not fulfill the single purpose of the representation allowance which is to enable the Department and the Foreign Service to pay for the proper representation of the United States and its interests and to further United States interests abroad; and
- (2) Expenditures for tickets or admission to unhosted events normally are a poor use of representation funds, and while not prohibited, are considered allowable only in those instances where the highest levels of host country officials are present and the attending employee has the necessity and opportunity to fulfill the purpose of the representation allowance. For example, expenses for attending fund-raising dinners, concerts, balls, or other strictly social functions normally do not meet the criterion for the representation allowance and typically are prohibited.

### **3 FAM 3242 PHILOSOPHY**

*(TL:PER-487; 10-31-2003)*

*(Uniform State/BBG/Commerce/Foreign Service Corp-USDA)*

*(Applies to Foreign Service and Civil Service Employees)*

- a. A great deal of work that could be called "representation" involves little or no expenditure of money. Further, lavish expenditures are questionable in most circumstances. The wealth of the United States as a nation should not be flaunted and requires a certain restraint, coupled with the standard of good taste, upon our official representation abroad.
- b. Many of the more formal or ceremonial aspects associated with the conduct of foreign relations can be simplified without surrendering those elements of tradition worth preserving. Representatives of the United States should try to reduce any emphasis given to purely ceremonial or formal observances.

## **3 FAM 3243 PROHIBITIONS**

### **3 FAM 3243.1 Expenditures Prohibited By Law**

*(TL:PER-487; 10-31-2003)*

*(Uniform State/BBG/Commerce/Foreign Service Corp-USDA)*

*(Applies to Foreign Service and Civil Service Employees)*

Department of State Standardized Regulations (DSSR) 330 contains a list of expenditures that are prohibited by law. Authorizing officers must be familiar with that list, and will consult it before approving expenditures for representational purposes.

### **3 FAM 3243.2 Who to Contact for Interpretation of Legal Prohibitions**

*(TL:PER-487; 10-31-2003))*

*(Uniform State/BBG/Commerce/Foreign Service Corp-USDA)*

*(Applies to Foreign Service and Civil Service Employees)*

In cases of doubt, authorizing officers should contact Resource Management (RM) and the office of the Assistant Legal Adviser for Management (L/LM) for further guidance.

## **3 FAM 3244 RESPONSIBILITY**

### **3 FAM 3244.1 Chief of Mission**

*(TL:PER-487; 10-31-2003)*

*(Uniform State/BBG/Commerce/Foreign Service Corp-USDA)*

*(Applies to Foreign Service and Civil Service Employees)*

- a. Each chief of mission has the responsibility to grant representation funds to officers and employees and must determine the mechanics of granting representation funds to fit conditions peculiar to the post.
- b. Authority to approve such expenditures is delegated, within the limits of funds made available, to the chief of mission. Each approval will involve a decision on the part of the chief of mission to use a specified amount of money, in a particular instance, in a certain manner, in order to accomplish a specific objective.

- c. Representation funds made available to a mission may be used at the discretion of the chief of mission for any expenditure not specifically prohibited by law or regulation. However, the chief of mission should take into consideration and attempt to abide by not only the letter, but also the spirit, of the applicable laws and regulations.

### **3 FAM 3244.2 Delegation of Authority**

*(TL:PER-487; 10-31-2003)  
(Uniform State/BBG/Commerce/Foreign Service Corp-USDA)  
(Applies to Foreign Service and Civil Service Employees)*

- a. At small diplomatic missions, it may, indeed, be possible for the chief of mission personally to approve individual expenditures.
- b. At large posts, this may be impossible, and it may be necessary to delegate authority for preparing a representation program to a senior subordinate or a group of senior subordinates.
- c. In any event, the Department assumes that any voucher properly certified at the post for payment of representation expenses has met the implicit, if not explicit, approval of the chief of mission.

### **3 FAM 3244.3 Foreign Affairs Agencies Guidelines for Granting Representation Allowances**

*(TL:PER-487; 10-31-2003)  
(Uniform State/BBG/Commerce/ Foreign Service Corp-USDA)  
(Applies to Foreign Service Employees Only)*

Department of State, BBG, Commerce, and Agriculture will follow the principles outlined in this section in granting representation allowances allotted for use by employees of their agencies assigned to posts in foreign areas. See chart below for further information.

<b>FOREIGN AFFAIRS AGENCY</b>	<b>REFERENCE</b>
State	3 FAM 3240 and DSSR 320 & 330.
USAID	ADS 610

Commerce	Has access to hospitality funds, which are covered under Department of Commerce regulations.
Agriculture (USDA)	2 FASR 51

### **3 FAM 3245 ALLOWABLE EXPENDITURES**

*(TL:PER-487; 10-31-2003)*

*(Uniform State/BBG/Commerce/ Foreign Service Corp-USDA)*

*(Applies to Foreign Service Employees Only)*

Entertainment as an allowable expense includes hosted parties, dinners, lunches, breakfasts, sports or cultural events. It must be clearly demonstrated that the purpose is to directly promote U.S. foreign policy interests; that the expenditure is not for personal recreation; and that the expenditure is not prohibited by these regulations or DSSR 320 and 330.

#### **3 FAM 3245.1 Related Representation Expenses that are Prohibited**

*(TL:PER-487; 10-31-2003)*

*(Uniform State/BBG/Commerce/ Foreign Service Corp-USDA)*

*(Applies to Foreign Service Employees Only)*

- a. Tangible gifts, including admissions to unhosted events, to any U.S. Executive, Legislative, or Judicial Branch employee are prohibited.
- b. Funds cannot be spent solely for the benefit of U.S. Government Executive Branch organizations or entities (e.g., U.S. Marine Guards, American Schools, Recreation Associations, or other groups). Expenditures that encompass or indirectly benefit any such group must further U.S. foreign policy interests and be an allowable expenditure not otherwise prohibited by these regulations or DSSR 320 and 330.

## **3 FAM 3246 PLANNING AND CONTROL AT POST**

### **3 FAM 3246.1 Basic Guidelines**

*(TL:PER-487; 10-31-2003)*

*(Uniform State/BBG/Commerce/Foreign Service Corp-USDA)*

*(Applies to Foreign Service and Civil Service Employees)*

The basic guideline that the post should follow to provide effective use of representation funds entails:

- (1) A defined policy (i.e., a determination on the part of the chief of mission of the specific objectives to be pursued);
- (2) A planned program (i.e., the careful weighing of alternatives to arrive at a program best suited to accomplish the policy objectives as established in mission goals and work plans);
- (3) An allocation of funds (i.e., the assignment of responsibility for implementing the program to individual officers or employees); and
- (4) A continuing review of representation activities to ensure effective utilization of available funds.

### **3 FAM 3246.2 Post Usage of Representation Funds**

*(TL:PER-487; 10-31-2003)*

*(Uniform State/BBG/Commerce/Foreign Service Corp-USDA)*

*(Applies to Foreign Service and Civil Service Employees)*

The ability to make effective use of limited resources is an art that usually must be learned. Thus, it is incumbent upon senior officers, including the chief of mission, to give guidance to those less experienced in the proper use of representation funds. In general:

- (1) The United States presence, official and private, should be less than half the total guest list;
- (2) Smaller events are preferable to large ones;
- (3) New contacts should be developed, but funds may also be used to deepen existing ones for business purposes, not personal relationships;

- (4) Local custom should largely be respected in holding representation events in or out of the home;
- (5) Meetings:
  - (a) Representation funds may be used to pay for attendance at professional meetings, including associated meal costs, which are considered reasonable and customary expenses of such meetings, when a determination is made by the chief of mission or designated representative that an association or professional meeting be attended for representational purposes (e.g. Departmental functions which are of primary benefit to the government). For additional information on associated meal cost and coverage, see 4 FAM 448.2; and
  - (b) Funds may not be used to pay for meals at professional meetings (consular, commercial or other associations) when the primary benefit is to the employee.
- (6) Membership Fees:
  - (a) Representational funds may not be used to pay membership fees or dues in any society, club, or association under any conditions (see 4 FAM 448.2 for funding membership fees, meetings, or dues with Diplomatic and Consular Program (D & CP) funds. The intent of this authorization is to defray employees' costs of association with professional groups, when the direct benefit to the U. S. Government is access to information and activities of those groups, and the forum those groups provide for the expression of U. S. interests by the employee or member as opposed to a primary benefit to the individual employee); and
  - (b) U. S. Government payment or reimbursement of membership in social, sporting, or similar organizations is never appropriate. This regulation, therefore, does not authorize membership in country clubs, golf clubs, swimming clubs, hiking clubs, biking clubs, yacht clubs, etc.

### **3 FAM 3246.3 Prescribed Limitations Relating to Representation Allowance**

*(TL:PER-487; 10-31-2003)*

*(Uniform State/BBG/Commerce/Foreign Service Corp-USDA)*

*(Applies to Foreign Service and Civil Service Employees)*

- a. In the interest of discouraging ostentation, the chief of mission should establish dollar limits for the various types of approved representation activities.
- b. Since representation relationships are established and maintained primarily with host country officials and private citizens, guest lists for representation events should reflect minimum guest ratio guidelines set by the chief of mission for each type of representation function (rarely more than 50 percent U. S. Government Executive Branch employees) to ensure that representative cross sections are invited.

#### **3 FAM 3246.3-1 Limitations of Advance Purchases**

*(TL:PER-487; 10-31-2003)*

*(Uniform State/BBG/Commerce/Foreign Service Corp-USDA)*

*(Applies to Foreign Service and Civil Service Employees)*

At the discretion of the chief of mission or his or her designee, purchases of representation supplies in advance of a function should be limited to the type and quantity necessary due to circumstances at post. Each post should develop written guidelines to cover the specific situations where advance purchases are authorized.

#### **3 FAM 3246.3-2 Types of Advance Purchases That Are Permitted**

*(TL:PER-487; 10-31-2003)*

*(State Only)*

*(Applies to Foreign Service and Civil Service Employees)*

Representation funds reimbursement or payment, except for invitation cards and American wine, is permitted only event-by-event on the basis of guest (recipient) lists.

### **3 FAM 3246.3-3 Purchases for Future Events**

*(TL:PER-487; 10-31-2003)*

*(Uniform State/BBG/Commerce/Foreign Service Corp-USDA)*

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Bulk purchases to cover several future representation events, even though practical and economical, except for invitation cards and American wine, must be financed by the host or other officer and reimbursed only on an event- by-event basis. However, if a preliminary guest list for a July 4 reception is prepared, for example in April, the financial management officer may start making payments for supplies for that event in April to the extent there is a bona fide need for such early procurement and if the requirements for the event are reasonably specific and foreseeable.

### **3 FAM 3246.3-4 Excess Supplies**

*(TL:PER-487; 10-31-2003)*

*(Uniform State/BBG/Commerce/Foreign Service Corp-USDA)*

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If such supplies are not fully consumed because of reduced attendance or other circumstances, the post must maintain an accounting of excess supplies and document their use, usually for subsequent specific representation events.

### **3 FAM 3246.3-5 Procurement of Invitation Cards and American Wine**

*(TL:PER-487; 10-31-2003)*

*(Uniform State/BBG/Commerce/Foreign Service Corp-USDA)*

*(Applies to Foreign Service and Civil Service Employees)*

Reasonable amounts of invitation cards and American wine (not to exceed a year's supply. Prior year's usage should be used as a benchmark) may be procured and paid for or reimbursed as a bulk purchase in lieu of buying new cards or American wine for each event.

### **3 FAM 3246.3-6 Purchase and Shipment of American Wine**

*(TL:PER-487; 10-31-2003)*

*(Uniform State/BBG/Commerce/Foreign Service Corp-USDA)*

*(Applies to Foreign Service and Civil Service Employees)*

- a. American wine, if purchased in bulk from official funds, must be under inventory control of the accountable property officer, and must be accounted for (as a non-reimbursement item) on representation vouchers.
- b. In no case, however, is the post authorized to use excess year-end funds to purchase wine, invitations, or other representation supplies and materials that are not a bona fide need of that fiscal year.
- c. Employees assigned to post with a consumables allowance may use a part of their allowance for the personal purchase and shipment of American wines for both personal and representational use.

## **3 FAM 3247 ACCOUNTING FOR EXPENDITURES**

### **3 FAM 3247.1 Instructions for Representation Expenditures**

*(TL:PER-487; 10-31-2003)*

*(State only)*

*(Applies to Foreign Service and Civil Service Employees)*

Instructions for vouchering, certifying, payment, and accounting for representation expenditures are found in 4 FAM 430.

### **3 FAM 3247.2 Representation Appropriation Requests**

*(TL:PER-487; 10-31-2003)*

*(State Only)*

*(Applies to Foreign Service and Civil Service Employees)*

State's representation appropriation requests are stated in terms of four basic purposes of expenditures as follows:

- (1) Promotion of U.S. national interests;
- (2) Protection of U.S. citizens' interests;
- (3) Promotion of economic activities; and
- (4) Commemorative and ceremonial requirements.

When approving representation activities, the chief of mission should indicate which of the above purposes most accurately describe the activity. This purpose will be cited on the payment voucher.

## **3 FAM 3248 REQUEST FOR INCREASES**

### **3 FAM 3248.1 Request for Additional Funds**

*(TL:PER-487; 10-31-2003)*

*(State Only)*

*(Applies to Foreign Service and Civil Service Employees)*

If, in the opinion of the chief of mission, the lack of additional funds would seriously hamper the effectiveness of the mission, a request for additional funds may be made by cable.

### **3 FAM 3248.2 Information Needed to Request Additional Funds**

*(TL:PER-487; 10-31-2003)*

*(State Only)*

*(Applies to Foreign Service and Civil Service Employees)*

The following information is needed to request additional funds:

- (1) A complete justification, including an indication of what effect the lack of such funds will have on the post's substantive operations; and
- (2) An explanation why the funds already allotted could not be reprogrammed to meet the exigency.

### **3 FAM 3248.3 Where to Send Requests for Additional Representation Funds**

*(TL:PER-487; 10-31-2003)*  
*(Uniform State/BBG/Commerce/Foreign Service Corp-USDA)*  
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Foreign affairs agencies should send their requests for additional representation funds to the following locations:

<b>FOREIGN AFFAIRS AGENCY</b>	<b>REQUESTS FOR ADDITIONAL REPRESENTATION FUNDS SENT TO</b>
State Department	Office of Allowances, SA-1, Room H426

### **3 FAM 3249 REPRESENTATION ALLOWANCES FOR FAMILY MEMBERS AND FOREIGN SERVICE NATIONAL EMPLOYEES**

*(TL:PER-487; 10-31-2003)*  
*(Uniform State/BBG/Commerce/ Foreign Service Corp-USDA)*  
*(Applies to Foreign Service Employees Only)*

- a. Section 905 of the Foreign Service Act of 1980 (22 U.S.C. 4085) authorizes representational allowances for family members acting with or on behalf of employees whose official positions entail responsibility for establishing and maintaining relationships of value to the United States in foreign countries.
- b. In addition, on an exceptional basis, Foreign Service National employees may be permitted such payments, where deemed appropriate, and with the approval of the head of agency or agency designee, and consistent with guidelines on representation established by the chief of mission. Refer to DSSR 310.