

Appendix III

DISTINCTIVE ITEMS REQUIRING SPECIAL HANDLING & SPECIAL POLICY AND PROCEDURE

Many products or services require unique purchasing procedures, are acquired from special sources, or are subject to special controls. For quick reference, many of these items are listed alphabetically on the chart on the following pages, Distinctive Items Reference Chart. The chart provides references to instructions and regulations. In the text that follows, each item is discussed briefly.

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A-E Services

FAR 36.6
AGAR 436.6
FPMR 101-19.402

Advertising Newspapers &
Periodicals

FAR 5.5
AGAR 405.5
46 Comp. Gen. 785
46 Comp. Gen. 394
Comp. Gen. B-16782,
35 Comp. Gen. 235,
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Advisory and Assistance Services

REE Bulletin 97-203
FAR 37.2
AGAR 437.2
FAM Ch 9
5 USC 3109
43 Comp. Gen. 509
42 Comp. Gen. 395
OFPP Policy Ltr. 93-1

Aerial Photography

FAM App III

Air Operations Service

FAM App III

Aircraft Purchase, Maintenance
and Operation

FAM App III
31 U.S.C. 638a(b)

Alcohol & Distilled Spirits

FAM App III

Appliances

GSA Supply Catalog
FSS Group 35, Part V

Arms & Ammunition

FAM App III
7 U.S.C. 2238

Badges

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46 Comp. Gen. 662
Comp. Gen. B-151668,
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Comp. Gen. B-158831,
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Binding of Publications

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Biological Products

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Calendars

Government Printing &
Binding Regulations,
Para. 22
FAM App III

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Calling or Greeting Cards

Government Printing &
Binding Regulations,
Section 20
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AGAR Advisory No. 25
Comp. Gen. B-280759,
11/5/98

Carpet

FPMR 101-25.302-5
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Chemicals, Regulated by the
Occupational Safety and Health
Act of 1970

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Coal

FAM App III
FPMR 101-26.602-4

Collection of Data From the Public

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Commissary Operations

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Concessions

FAM App III
AGPMR 104-19.112

Construction on Non-U.S. Government
Owned Land

FAM App III
7 U.S.C. 2250a

Control of Insect Pests and Diseases

FAM App III
16 U.S.C. 594-5
7 U.S.C. 148-148e

Copying Machines

FAM App. III
AGPMR 104-25.302-50
P&P 221.1

Cost Sharing of Conference/Meeting
Charges

FAM App III

Curtains

FAM App III
FPMR 101-25.302-7
P&P 221.1

Detective Agency Services

FAM App III
FAR 37.109

Disease Control In Western
Hemisphere

FAM App III
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Drugs

FPMR 101-42

Duplicating Machines & Allied
Equipment

FAR 8.8

Government Printing &
Binding Regulations (all)

FPMR 101-25.504

AGAR 408.8

AGPMR 104-25.302-50,
104-55.604

Employees, Purchase From

18#USC 208

FAM App III

44 Comp. Gen. 569

FAR 3.6

AGAR 403.6

Comp. Gen. B-153584,
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Exchange/Sales

FPMR 101-25.102

FPMR 101-46

FAM Section 3C

Explosives

FAM App III

18 U.S.C. 842 et seq.

Extravagant Purchases

FAM App III

44 Comp. Gen. 312

50 Comp. Gen. 534

50 Comp. Gen. 419

38 Comp. Gen. 782

22 Comp. Gen. 679

Facilities for Meetings Training
Sessions, etc.

FPMR 101-17.101-4

56 Comp. Gen. 572

54 Comp. Gen. 1055

Filing Equipment and Supplies

FPMR 101-26.308

FPMR 101-26-507

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Food

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Foreign-made Items

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AGAR 425

4-H Club Assemblages

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Fuel Oil

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Furniture and Furnishings

FPMR 101-26.505

Furniture and Furnishings for Executives

FPMR 101-25.104
FPMR 101-25.302
FPMR 101-25.404
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GSA Controlled Space

FPMR 101-20

Gasoline

FPMR 101-26.602
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Gifts

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55 Comp. Gen. 346

Gratuities

Employees Handbook
Part 735.13
FAR 3.2

Human Subjects

P&P 605.1

Insurance

FAR 28.3
AGAR 428.3
7 U.S.C. 2262

Interest

28 U.S.C. 2516(a)
Comp. Gen. B-188616,
5/12/77
Comp. Gen. B-187866,
4/12/77

Laboratory Glassware

FAM App III

Lease vs. Purchase

FAR Subpart 7.4
FAM Section 5G
FPMR 101-25.5
Comp. Gen. B-190142,
2/22/78
Comp. Gen. B-191003,
6/6/78
Comp. Gen. B-180963,
9/9/74
Comp. Gen. B-183637,
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License Plates for Motor Vehicles

FPMR 101-38.2

Livestock Products

7 USC 1901-1906
FAM App III

Lubricants

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Maintenance Agreements for
Office Machines

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FAM App III, See Refreshments

Meat Inspection Tags, Labels,
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FAM App III
7 U.S.C. 431

Membership Fees

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24 Comp. Gen. 814
33 Comp. Gen. 126
32 Comp. Gen. 15
5 USC 4109 (b)
5 USC 5946

Men with Equipment

FAM App III
7 U.S.C. 2237
See Personnel/Nonpersonnel
Services

Microfilm Equipment

Government Printing &
Binding Regulations

Motor Vehicles

FAR 8.11
FPMR 101-38
FPMR 101-25.402
FPMR 101-26.501
AGPMR 104-38.5001
P&P 221.1

Motor Vehicle Tags, Shields,
and Other Identification

FPMR 101-38.2
AGPMR 104-38.3, 104-38.4

Narcotic Substances

FPMR 101-43.309

National Defense Contracting

FAR 15
AGAR 450

Office Machines

FPMR 101-25.104
FPMR 101-25.302,
AGPMR 104-25.106
P&P 221.1

Obligation of Funds, Services

Comp. Gen. B-184782,
2/26/76
Comp. Gen. B-174226,
3/13/72
Comp. Gen. B-187882,
10/3/77
55 Comp. Gen. 768
FAR 32.7 and FAR 37.106

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Page Charges

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Paper and Paper Board

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Payment or Reimbursement of Meals,
Food or Refreshments

FAM App III, See Refreshments

Personal Protective Equipment

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Personal Interest in Purchases

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53 Comp. Gen. 86
Comp. Gen. B-180708,
1/30/76
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Comp. Gen. B-173179,
8/25/71

Personal or Nonpersonal
Services

FAR 37.104
FAM Chapter 8
Federal Personnel
Manual (Selected
Chapters)
Comp. Gen. B-189303,
12/15/77
Comp. Gen. B-186919,
4/22/77
Comp. Gen. B-186700,
1/19/77
Comp. Gen. B-186681,
11/8/77

Post Office Box Rental

FAM App III
25 Comp. Gen. 834
34 Comp. Gen. 191

Preventive Health Services
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30 Comp. Gen. 387
22 Comp. Gen. 32

Printing and Printing Equipment

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Binding Regulations
FAM App III
P&P 256.2

Publications

FAM App III

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Radioactive Materials and Equipment

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Radio Transmitting and Receiving Equipment

FAM App III
P&P 260.1

Recreational Equipment

FAM App III

Refreshments

FAM App III
54 Comp. Gen. 1055
42 Comp. Gen. 149
43 Comp. Gen. 305

Refrigerators

GSA Supply Catalog

Rental of Equipment

FAM App III

Rental Equipment from Forest Service

FAM App III
16 U.S.C., 578, 580

Reprints

FAM App III

Returnable Containers

FAM App III
Comp. Gen. B-183047,
2/22/75

Space Studies, Layouts, and Interior Design

FPMR 101-20

Standard Forms and Blankbook Work

FAM App III
7 U.S.C. 2232

Stenographic Reporting

FAM App III

Subscriptions

FAM App III
27 Comp. Gen. 746
39 Comp. Gen. 320
FAM App III
55 Comp. Gen. 1076
FPMR 101-25.108

Tax on Purchases

NFC Procedures Manual
Title II, Chapter 5,
Sec. 5.327
FAR 29

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Telecommunication Services
and Equipment

31 USC 679
P&P 260.1
P&P 262.1
P&P 262.3
P&P 264.1
P&P 264.3

Trading Stamps, Redeemable Coupons,
Etc.

FPMR 101-25.103
FAM App III
Comp. Gen. B-128096,
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Comp. Gen. B-128096,
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Training Services

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Translation Services

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Tuberculin, Serums, Antitoxics, Etc.

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Twine

FAM App III

Typewriters

FPMR 101-25.104
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Visual Services

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Water Coolers

GSA Catalog

Year-End Purchasing

OMB Circular A-11

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KEY

AGPMR	- Agriculture Property Management Regulation	FAM	- Field Acquisition Manual 213.2
AGAR	- Agriculture Acquisition Regulation	FAR	- Federal Acquisition Regulation
AM	- Administrative Memorandum	FPMR	- Federal Property Management
AR	- Agriculture Regulation	TM	- Technical Manual
I	- Issuance	P&P	- Policies & Procedures (ARS)
DPM	- Departmental Personnel Manual		
Comp. Gen.	- Comptroller General Decision		

Certain supplies and services may be purchased only under special conditions or authorities because of controls placed on their acquisition. The alphabetical list set forth below covers, in general, supplies and services on which there are restrictions or limitations.

Proposed acquisition of any listed item not identified with an asterisk (*) must be referred to the appropriate Area Administrative Officer for processing, approval, or purchase, as appropriate.

A. List of Special Items.

- * Advertising (the publication of advertisements and notices in newspaper or trade journals)
- Advisory and Assistance Services
- Aerial Photography
- Air Operations Service (on a charter bases, commercial flights by employees in travel status not restricted)
- Aircraft, Purchase, Maintenance, and Operation
- * Alcohol and Distilled Spirits
- * Appliances
- Architectural or Engineering Services
- Arms and Ammunition, Over \$50
- * Badges
- * Binding of Publications
- * Calendars
- * Calling or Greeting Cards
- * Chemicals, Regulated by the Occupational Safety and Health Act of 1970
- * Collection of Data From the Public
- * Commissary Operations
- Concessions and/or Vending Services
- * Construction Work (within delegated authority)
- Copying Machines
- Credit Cards
- Detective Agency Service
- Duplicating Machines and Allied Equipment
- Employees, Purchase From
- Employees, Purchase From Former
- * Extravagant Purchases
- * Facilities for Meetings, Training Sessions, Etc.
- * Filing Cabinets
- * Foreign-made Items

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- Fume Hoods
- * Furniture and Furnishings
- * Interest
- * Laboratory Glassware
- * Livestock Products
- * Membership Fees
- Microform Equipment
- Narcotic and Nonnarcotic Controlled Substances
- Motor Vehicles
- * Office Machines
- * Personal Protective Equipment and Clothing
- * Personal Interest in Purchases
- Personal and Nonpersonal Services
- * Post Office Box Rent
- Preventive Health Services and Examinations
- * Printing and Printing Equipment
- * Radiation Equipment and Radioactive Material
- * Radio Transmitting and Receiving Equipment
- Recreational Equipment
- * Returnable Containers
- Stenographic Reporting Services
- * Tax on Purchases
- Trade-in or Exchange of Items
- * Trading Stamps, Redeemable Coupons, Etc.
- * Translation Services
- * Telecommunications Services and Equipment
- * Tuberculin, Serums, Antitoxins, Etc.
- * Twine
- Typewriters (see Office Machines)
- * Vehicle Repairs (limit of \$200 Replacement/\$600 other)
- * Year-End Purchasing

A-E (ARCHITECT-ENGINEER) SERVICES

Architect-engineer services are governed by P.L. 92-582, known as the Brooks Bill. This law establishes special procedures for solicitation and award of contracts for A-E services. A-E firms are requested to submit qualifications statements to Government A-E evaluation boards. The three firms chosen as most qualified are given the opportunity to negotiate a contract, one firm at a time. Fees are limited to a maximum of 6 percent of the total estimated construction cost. A-E firms may, however, be hired as inspectors or consultants subject to ordinary service contract rules. All A-E contracts are handled by FD and the Area Offices.

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ADVERTISING (PUBLICATION IN NEWSPAPERS OR JOURNALS)

Individuals with delegated procurement and contracting authority may place and pay for advertisements of procurement actions only.

Advertisements of personnel recruitment actions must be approved in advance by the Personnel Division. Upon approval, these advertisements may be placed by authorized Contracting Officers (Cos).

ADVISORY AND ASSISTANCE SERVICES - NARRATIVE FROM CONSULTANT

It is the policy of ARS that all ARS offices and personnel involved, either directly or indirectly in the acquisition of Advisory and Assistance Services comply fully with the requirements of OMB Circular A-120, Departmental Regulation 5000-1, Departmental Notice 5000-1, REE Bulletin 99-202, and other such guidance as may apply.

All requests for Advisory and Assistance Services should be referred to the appropriate Procurement Assistance Officer (PAO).

AERIAL PHOTOGRAPHY

Aerial photographic projects shall be coordinated through the designated coordinator for aerial photography for the Department. The criteria for coordinating the project is 200 sq. ft. + area. Coordinator is the Director, ASCS, FTS 588-5294.

AIR OPERATIONS SERVICE

(a) Purpose. This section prescribes the acquisition documents to be used in obtaining aircraft and air operations service on a charter basis, for transportation of persons or property, surveys, observations, and reseeded operations, etc., where exclusive use of the aircraft is required.

(b) Authority. Agreement between Department officials and officials of the Transportation Division, General Accounting Office, March 17, 1959.

(c) Contracts for Service. Agency contracts for air operations service, whether by formal advertising or by negotiation, shall specify the acquisition document to be used, i.e., Transportation Request, Government Bill of Lading, or Purchase Order. Generally, the procuring document applicable to the service involved, that is, freight or passenger, should be used. The Forest Service is authorized to contract with vendors who do not file tariff rates for the rental of aircraft for reconnaissance flights, transportation of personnel and materials and performance of special services such as spreading fire retardant chemicals, etc.

(d) Continuing Service. Individual acquisition documents, i.e., Transportation Request, Government Bill of Lading, or Purchase Order, are not required for each movement or type of service performed. One appropriate document may be issued to cover a given period of service, provided the carrier's invoice particularizes as to how the various charges were established, and

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includes flight logs or other documentary proof that may be necessary to show that the services were actually performed.

(e) Emergency service. Transportation services required in emergency situations, including the use of small aircraft operators not under contract arrangements shall be acquired as follows: At the time such services are requested, an inquiry should be made as to whether the carrier or individual files tariffs with either a Federal or State regulatory body covering rates and charges. In the event such tariffs are filed, Transportation Requests, or Government Bills of Lading, as appropriate, should be used to acquire the services required. If it is not feasible to use either a Transportation Request or Government Bill of Lading, or if the carrier or individual is not required to file a tariff or schedule of rates with a regulatory body, purchase orders may be used to acquire the services required.

AIRCRAFT PURCHASE, MAINTENANCE AND OPERATION

(a) Authority. Under the provisions of 31 U.S.C. 638a(b), no appropriated funds may be expended for the purchase, maintenance, or operation of airplanes unless there is specific authority in the Appropriation Act for such purchase, maintenance or operation.

(b) Rental. Under the limitations of 31 U.S.C. 638a(b), specific statutory authority for the "maintenance and operation" of airplanes is required to cover the rental of airplanes under term contract or otherwise. This is not construed, however, to apply to the procurement of airplane service where the contractor or vendor furnishes the airplane, a pilot, gasoline and oil, and otherwise maintains and operates the airplane.

ALCOHOL AND DISTILLED SPIRITS

The Department of Agriculture has been issued Treasury Department permits that authorize purchase of tax-free ethyl alcohol and distilled spirits, 160 degrees-or-more proof, from bonded warehouses and purchase of specially denatured alcohol from denaturing plants or bonded dealers' storerooms. The original of the permit is forwarded to the proprietor of the warehouse, plant, or storeroom, and a copy is retained in the USDA, Office of Operations.

Any ARS contracting office may place orders with the proprietors of the bonded warehouses, denaturing plants, or bonded dealers' storerooms. Each order should reference the permit number.

These permits have been issued to warehouses, plants, or storerooms in various sections of the country. Alcohol or distilled spirits should be purchased from such sources when practicable.

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Permits

Permits are effective until superseded or canceled. They have been issued on warehouses, plants or storerooms located in various sections of the country. Alcohol or distilled spirits should be purchased from such sources when practicable. Copies of current permits are provided on pages AP3-16 and AP3-17.

If it becomes necessary to purchase alcohol or distilled spirits from a bonded warehouse, denaturing plant, or bonded dealer's storeroom not holding a permit in favor of the Department, the location of the warehouse, plant, or storeroom and the name and address of the proprietor should be furnished to the Office of Operations & Finance in order that a permit may be obtained. Be sure to put the permit number on your purchase.

APPLIANCES

Freezers, ranges, washing machines and dryers, disposal, and water heaters may all be purchased directly from FSS contractors. GSA discontinued their consolidated buying program for these items.

ARMS AND AMMUNITION

The Act of June 4, 1936, (7 U.S.C. 2238) gives the Department specific authority to use funds available for its field work for the purchase of arms and ammunition whenever (1) the individual purchase does not exceed \$50 and (2) the individual purchase exceeds \$50, but such items cannot advantageously be supplied on a loan basis. If circumstances warrant, purchases may be made from the Department of the Army pursuant to the authority for purchases from other Government agencies under Section 601 of the Economy Act (31 U.S.C. 686 and 686-1). Arrangements for such purchases may be made directly with the military installation. Otherwise, purchases of arms and ammunition are made in accordance with the rules governing purchases in general.

Requisitions should be forwarded to your PAO for disposition.

BADGES

PAO approval of material, size, shape, and design is required before purchasing badges.

TAX-FREE SPIRITS PERMIT US-TF-625

SPECIALLY DENATURED SPIRITS PERMIT US-DS-360

BINDING OF PUBLICATIONS

Technical Information Systems makes an annual contract each fiscal year with a commercial firm for binding services. The contract is made under the Department's waiver from the Government Printing Office and may be used by all departmental agencies.

If you need binding, submit an AD-700 as instructed by the appropriate Area Administrative Office.

BIOLOGICAL PRODUCTS

Acquisition of all biological products, i.e., vaccines, antiserums, antitoxins, bacteriums, bacterial toxoid, antigens, and miscellaneous products intended for use in the treatment of domestic animals, shall only be made for commercial concerns or individuals that possess an unexpired, unsuspended, and unrevoked U.S. Veterinary Biologics establishment license and product license as well as permits. Acquisition documents shall specify that the supplier is licensed to sell biologics and that products offered meet certification standards as stipulated in the Federal Regulations.

CALENDARS

You can obtain at Government expense only those calendars printed by GPO. The Office of Operations makes a consolidated purchase each year for the Department.

CALLING OR GREETING CARDS

You can obtain at Government expense business cards for those employees who deal with outside organizations in furthering the mission of ARS. Approval for obtaining business cards for ARS employees resides with fundholders. Refer to ARS Homepage at www.ars.usda.gov/afm2/bizcard/ for further guidance.

CARPET

Carpet can be purchased only when it is authorized or when it can be justified on the basis of cost, safety, insulation, acoustical control, or required interior decorating considerations. Acquisition must be approved by the appropriate Property Management Office.

CHEMICALS, REGULATED BY THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

The Williams-Steiger Occupational Safety and Health Act of 1970 (29 U.S.C. 655) requires the Secretary of Labor "to assure safe and healthful working conditions for working men and

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women; by authorizing enforcement of the standards developed under the Act." The Occupational Safety and Health Administration (OSHA) of the Department of Labor (DOL) has developed a listing of 14 chemical substances that are known to cause cancer and has established safety standards for dealing with the exposure of employees to those substances.

- 1.0% 2-Acetylaminofluorene (2-AAF)
- 0.1% 4-Aminodiphenyl (4-ADP)
- 0.1% Benzidine
- 1.0% 3,3'-Dichlorobenzidine (DCB)
- 1.0% 4-Dimethylaminoazobenzene (DAB)
- 1.0% alpha-Naphthyl amine (1-NA)
- 0.1% beta-Naphthylamine (2-NA)
- 0.1% 4-Nitrobiphenyl
- 1.0% N-Nitrosodimethylamine (DMN)
- 1.0% beta-Propiolactone (BPL)
- 0.1% bis(Chloromethyl)ether (BCME)
- 1.0% 4,4'-Methylene-bis (2 - chloroaniline)
- 1.0% Ethyleneimine (EI)

All purchases of the substances must be made through the appropriate procurement office. Submit AD-700 to the procurement officer for chemicals, compounds, or mixtures that contain amounts greater than the percentages shown above. The form must also contain a clear justification for the purchase and use of the substances. Purchase only the amounts needed for current research programs.

COAL

(a) Requirements for use in the District of Columbia and vicinity. The General Services Administration maintains and operates a Fuel Yard in Washington, D.C. for delivery to Federal agencies of their requirements of solid and liquid heating fuels. Agencies located in the District or within 25 miles are required to satisfy their requirements from the fuel yard. Contact the GSA FSS Region 3 Office at 7th and D Streets, S.W.

(b) For carload requirements for field use see FPMR 101-26.602-4.

COLLECTION OF DATA FROM THE PUBLIC

When a contractor will be required to collect identical data from ten or more persons (other than Federal employees), contract provisions including plans, forms, and reporting requirements must be forwarded to the appropriate procurement officer, where proper clearances are obtained prior to finalizing the contract(s).

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COMMISSARY OPERATIONS

Agencies are authorized to furnish supplies and equipment for employees in Alaska. It is the policy, however, to restrict the use of this authority to locations where commercial purchasing facilities are inadequate or lacking.

CONCESSIONS

AGPMR 104-19.112 outlines the policy and procedure established for the granting of concessions for the furnishing of commodities and services to employees while on duty, which are essential for their health, comfort, or efficiency, and which cannot be obtained conveniently from nearby existing facilities.

CONSTRUCTION OF STRUCTURES AND FACILITIES ON LAND NOT OWNED BY THE UNITED STATES

The Department is authorized, within the limitations of cost otherwise applicable, to construct buildings and other structures (except CCC storage facilities) on land not owned by the United States: Provided: That prior to such construction there is obtained the right (1) to use the land for the estimated life of, or need for, the structure, and (2) to remove any such structure within a reasonable time after termination of the right to use the land. In acquiring the right to use the land, the Department may enter into long-term leases and available funds may be obligated for the total expenses in connection therewith. (7 U.S.C. 2250a.) Refer to your PAO for assistance.

CONTROL OF INSECT PESTS AND DISEASES

Protection of Forest Lands

In accordance with statutory provisions (16 U.S.C. 594-5), materials and equipment (including printing and binding and the purchase, maintenance, operation, and exchange of passenger-carrying vehicles), required for the protection of forest lands from insects and diseases, may be procured without advertising. However, the policies and procedures governing acquisition in the Federal and Agriculture Acquisition Regulations shall be applicable to such functions, insofar as feasible, consistent with efficient operations.

Cooperative Programs of Control

Acquisitions of materials and equipment in connection with cooperative programs with authorities of the states concerned, organizations, or individuals for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs, under authority of 7 U.S.C. 148-148e, may be made from appropriate funds without advertising, and the transportation thereof may be under such conditions and means as

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shall be determined by the Secretary to be most advantageous. (See 41 U.S.C. 6B(a).) However, the policies and procedures governing acquisition in FAR and AGAR shall be applicable to such functions, insofar as feasible, consistent with efficient operations.

COPYING MACHINES

Prior approval by the appropriate Property Management Office for the acquisition of copying machines is required. In the metropolitan area of Washington, D.C., approval comes from the Office of Operations.

Each request for approval to acquire or replace copying machines must be accompanied by a justification which includes the following:

1. Type, variety (routine letters, legal documents, forms) and maximum size of documents to be copied.
2. Estimated total copies to be made monthly and the basis for determining the quantities.
3. Make and model of equipment desired.
4. Special characteristics or accessorial items needed; for example, collator, copies from book, transparencies, etc.
5. A lease versus purchase analysis for the equipment determined to be the most cost effective (see AGPMR Sec. 101-25-504).
6. Monthly maintenance and/or service costs being considered.
7. Description and proposed disposition of equipment to be replaced (if applicable).
8. Number and make of other copying equipment on hand at the using location (other USDA activities collocated included).
9. Joint use of equipment listed in (8) above.

COST SHARING OF CONFERENCE/MEETING CHARGES

On occasion, sponsors of events such as meeting, conferences, training, etc., desire to host the event but share the cost of the event with multiple participants: e.g., other ARS Areas/locations, USDA agencies, and other Federal agencies.

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ARS has no authority to formally establish, collect, and deposit registration or other fees from attendees for the purpose of cost sharing the event.

The appropriate methods are:

- Use of an AD-757 (Miscellaneous Payments System) to transfer costs within ARS.
- Use of an AD-742 (Transfer and Adjustment Voucher) to transfer costs between USDA agencies.
- Use of a reimbursable order under the Economy Act to transfer costs and charge other Government agencies.

Use of any of these methods is predicated upon an understanding and agreement between the sponsor and parent agency of the attendees, prior to the meeting or event, that costs will be shared.

The practice of collecting, depositing, and processing registration fees through the official accounting system to offset the cost of conferences or meetings is not authorized.

CURTAINS

Acquisition of curtains or draperies must be approved by the Property Management Officer. Use is justified only where authorized or where cost, insulation, or acoustical control makes draperies more beneficial than other window coverings.

DETECTIVE AGENCY SERVICES

Government agencies are prohibited by law (5 U.S.C. 3108) from using the services of any detective agency. This prohibition extends to contracts or agreements with detective agencies and with individual employees of such agencies, regardless of the character of service to be performed, even though the service is not of a detective or investigative nature.

DISEASE CONTROL IN WESTERN HEMISPHERE COUNTRIES

Pursuant to 21 U.S.C. 114b and c, funds available for the control and eradication of communicable disease of animals in Mexico, Guatemala, El Salvador, Costa Rica, Honduras, Nicaragua, British Honduras, Panama, Columbia, and Canada, including but not limited to foot-and-mouth disease, rinderpest, or screw-worm, may also be used for the purchase or hire of passenger motor vehicles and aircraft (without regard to the provisions of 31 U.S.C. 638a), for printing and binding (without regard to the provisions of 44 U.S.C. 501 requiring that such work be done at the Government Printing Office), and for the construction and operation of research

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laboratories, quarantine stations, and other buildings and facilities. This section refers only to those diseases which in the opinion of the Secretary constitute an emergency and threaten the livestock industry of the country. However, the policies and procedures in the Federal and Agriculture Acquisition Regulations governing acquisitions generally shall be applicable in making purchases for this program unless otherwise specifically authorized by the Secretary.

DRUGS

Most drugs are so-called controlled substances and require the use of a Drug Enforcement Agency (DEA) registration number in purchases. The AD-700 and the covering purchase order must cite the DEA registration number.

You must include a DEA order form with your requisition package. This form is serially numbered and is issued by DEA, showing the controlled substances the registrant is authorized to obtain.

DUPLICATING MACHINES AND ALLIED EQUIPMENT

All acquisitions of duplicating machines and allied equipment (collators; addressing, folding, and sealing machines; power stitchers; and power-operated paper cutters) are regulated by the Government Printing and Binding Regulations.

Forward all purchase requests to the Area PAO for review and action. Requests must contain enough information to show the need for the item(s) as well as a broad description of the type and amount of materials to be handled. (See also Copying Machines, above.)

EMPLOYEES, PURCHASE FROM

Policy. Contracts between ARS and its employees (or any other Government employees) are not prohibited generally by statute, but only where an employee acts as an agent both for the Government and the contractor in the transaction of business (see 18 U.S.C. 208) or where the service to be rendered under a contract with an employee is such as could have been required in an official capacity (see 5 U.S.C. 5535, 5536). However, aside from any statutory prohibition, contracts between the Government and its employees are open to criticism for possible favoritism and preferential treatment and consequently are prohibited by FAR Subpart 3.6. They should not be made except for the most cogent reasons, and under no circumstances where the needs of the Government can be otherwise reasonably supplied. The hire or rental of equipment from employees is generally prohibited. Contracts between the Government and retired employees are also open to criticism. Employment procedures, not contracting, should be used to acquire the services of retired employees.

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Approval. In accordance with AGAR 403.6 proposed purchases from ARS employees require written approval from the Director, PPD.

EXCHANGE/SALE AUTHORITY

See FPMR 101-46, and Section 3C of this Manual.

EXPLOSIVES

The importation, manufacture, distribution, and storage, of explosive materials is governed by Federal regulations issued by the Secretary of the Treasury pursuant to 18 U.S.C. 842 et seq. In most States there are state and local laws and regulations governing the purchase, sale, etc., of such explosives, and agencies of the Department should be governed by the requirements of the States in which they are located if the state or local laws are more restrictive. If blasting operations are necessary, only those fully licensed under state and local authority may conduct blasting operations.

EXTRAVAGANT PURCHASES

Only such equipment, supplies, or materials that acceptably and economically serve the needs of ARS should be purchased. Do not purchase "fancy" or "deluxe" items when requirements can be satisfactorily met by a standard article at less expense. Failure to observe these restrictions may result in the disallowance of the covering voucher and create personal liability for the indebtedness.

FACILITIES FOR MEETINGS, TRAINING SESSIONS, ETC.

Rentals of facilities for meetings or training sessions are subject to the following restrictions:

1. The Service Contract Act 1965 applies to rentals of facilities where meals are furnished as a part of the rental. The provisions of the Act must be complied with when effecting rentals of this type.
2. The Service Contract Act does not apply to rentals where the lessor is not required to furnish meals, even though other services -- such as janitorial or grounds maintenance -- might be required.

You should informally contact GSA to determine if Government-owned space is available. If not, GSA can assist in finding suitable space.

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Conference facilities but not sleeping rooms may be acquired in the District of Columbia under 54 Comp. Gen. 1055 and 56 Comp. Gen. 572.

FILING EQUIPMENT AND SUPPLIES

Before ordering filing cabinets, you must certify compliance with P&P 221.1. Generally, you should order only those cabinets that are absolutely essential and that will be used for at least six months. Filing cabinets should be five-drawer, letter-sized, and without locks unless other specifications are required by special needs. Requests for any other type of cabinet require the approval of the appropriate Property Management Officer.

FOREIGN-MADE ITEMS

The Buy American Act of March 3, 1933, (41 U.S.C. 10a-10d) provides that only such unmanufactured articles, materials, and supplies as have been mined or produced in the United States, and only such unmanufactured articles, materials, and supplies as have been mined or produced in the United States, and only such manufactured articles, materials, and supplies as have been manufactured in the United States (substantially all from articles, materials, or supplies mined, produced, or manufactured domestically) only to products purchased, but also to products obtained through rent or lease (Comp. Gen. B-156082, July 20, 1966).

Accordingly, individual certifications are no longer required for the items approved.

When evaluating the price quoted on foreign items versus domestic items, add 6 percent or 12 percent of the price quoted to the foreign item. Add:

6 percent if compared to large business

12 percent if compared to small business

4H CLUB ASSEMBLAGES

As provided by law (31 U.S.C. 552), funds may be expended to meet expenses necessary for assemblages of 4-H Clubs, called in the District of Columbia or elsewhere, in furtherance of the cooperative extension work of the Department.

FUEL OIL

See Defense Contracts Bulletin.

FURNITURE AND FURNISHINGS

See FPMR 101-26.505.
AGPMR 104-25.302

FURNITURE AND FURNISHINGS FOR EXECUTIVE OFFICES

Only furniture and furnishings for executive offices that acceptably and economically serve the needs of the office should be purchased.

See AGPMR 104-25.302.

GSA CONTROLLED SPACE, SERVICES AND FACILITIES

See FPMR 101-20.

GASOLINE

Gasoline may be purchased when necessary from service stations by using the U.S. Government Fleet Card. Normal requirements within the minimum delivery limits should be obtained through the Defense Contract Bulletin).

GIFTS

Gifts for employees or others normally may not be purchased with Government funds. The term gift includes mementos, paper weights -- even donuts and coffee. Gifts can be made under the Government Employees Incentive Awards Act (see 55 Comp. Gen. 346.) Gifts may also be accepted on behalf of the Government in accordance with P&P 221.1.

GRATUITIES

Employees are not allowed to accept anything of value from present or potential contractors or suppliers. To do so exposes the employee to criminal sanctions and may cause the Government to cancel the contract(s) of the supplier. See FAR Subpart 3.2.

HUMAN SUBJECTS

Refer all requests involving the use of human subjects to the appropriate procurement officer.

INSURANCE

See FAR 28.3 and AGAR 428.3.

INTEREST (UNDER THE PROMPT PAYMENT ACT)

Under the provisions of the Prompt Payment Act and OMB Circular A-125 the policy of the Government is to make timely payments and, in failing to do so, must also pay interest to the contractor based upon rates established periodically by the Secretary of the Treasury.

LABORATORY GLASSWARE

In order to reduce the costs of multiple purchases of "common-use" items, ARS policy dictates the use of quantity purchases or blanket purchase agreements for lab supplies. Area agreements differ, so check with your procurement assistance officer.

LEASE VERSUS PURCHASE

The decision to lease instead of purchase supplies or equipment is determined by cost considerations and appropriate statutes. The factors involved are covered in detail by FPMR 101-25.5.

Before deciding that an item should be leased, you must justify the action. Show that the long-term lease cost will be more advantageous compared to the initial cost of purchase, or that the requested item will have no use to the Government after its immediate use. Lack of funds alone is not a reason to lease.

You normally cannot make a lease for more than the period remaining in a fiscal year. Leases may be renewed only by affirmative action of the Government. Automatic renewals are not authorized.

LICENSE PLATES FOR MOTOR VEHICLE

See FPMR 101-38.3 and 101-38.4.

LIVESTOCK PRODUCTS

Public Law 85-765, as amended, commonly known as the Humane Slaughter Act of 1958 (7 U.S.C. 1901-1906) places certain restrictions on the procurement of livestock products by Federal agencies, stating that the slaughtering of livestock, and the handling of livestock in connection with slaughter, shall be carried out only by humane methods. In essence, the Act prohibits Government purchase of livestock products produced or processed by any slaughterer

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or processor which in any of its plants (or in the plants of an affiliated slaughterer or processor) slaughters, or handles in connection with slaughter, livestock by any method other than humane.

Livestock products means any article of food, or any article intended for or capable of being used as food, for either humans or animals, which is derived or prepared, whole or in part, from slaughtered cattle, calves, horses, mules, sheep, swine, or goats. Livestock products do not include (a) supplies, the animal product portion of which is less than 5 percent by weight of the net unit weight, and (b) poultry.

Therefore, in accordance with the Act, when small purchases of livestock products are made, the purchase order shall include the following documentation, which must be signed by the vendor:

Statement of Eligibility
(Humane Slaughter Act)

The supplier agrees that livestock products sold to the Government, except products produced or processed from livestock slaughtered outside the United States, its possessions, and Puerto Rico, conform to the requirements of the Humane Slaughter Act of 1958 (7 U.S.C. 1901-1906).

LUBRICANTS

For petroleum-based lubricants, see Department of Defense Contracts Bulletin.

MAINTENANCE AGREEMENTS FOR OFFICE MACHINES

Some Areas have established contracts for the maintenance and repair of office machines. These contracts cannot extend over one fiscal year. Contracts for maintenance must satisfy the requirements of FPMR 101-25.106.

Departmental studies and experience clearly show that the servicing and maintenance of office machines is more economical on a "per call" basis than on a service contract basis. Carefully consider the factors listed in FPMR 101-25.106 before entering into a service contract.

MEAT INSPECTION TAGS, LABELS, ETC.

Appropriations for meat inspection may be expended for the purchase (7 U.S.C. 431) of printed tags, labels, stamps, and certificates without regard to laws applicable to public printing.

MEMBERSHIP FEES

Payment of membership fees or dues from appropriated funds for any officer or employee of the Government in any society or association is not authorized except where:

1. Payment is authorized by specific appropriation or is provided for in express terms in some general appropriation (5 U.S.C. 5946).
2. Attendance at meetings is concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or activities (5 U.S.C. 2318(b)).
3. Such expenses are incidental to delivering lectures, giving instruction, or acquiring information at meetings by employees on subjects relating to the work of the Department as authorized by law (5 U.S.C. 5946).

Fees and other charges may be paid at Government expense where such action is necessary for the direct benefit of the Agency. Such payments should be made in the name of the Agency, and may not be made in the name of any employee.

MEN WITH EQUIPMENT

In accordance with law (7 U.S.C. 2237) funds available for field work in the Department shall be available for employment by contract, or otherwise, of men with equipment, boats, work animals, and animal-drawn and motor-propelled vehicles.

MICROFILM EQUIPMENT

The acquisition of microfilm or microfiche equipment is governed by the Government Printing and Binding Regulations. Send your requisition to the appropriate procurement officer for approval and action.

MOTOR VEHICLES

Acquisition of motor vehicles is governed by P&P 221.1 and FPMR 101-26.5. Orders must be processed by the Area or Headquarters Property Management Officer (PMO).

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When you require a vehicle for the times and mileages set forth in P&P 221.1 or require replacement of a vehicle according to the standards in P&P 221.1, notify the appropriate PMO. The PMO will process the requisition and order the vehicle. Upon receipt, inspect the vehicle and assure that the tags, V-number, and other identification are posted on the vehicle.

If your need is for a shorter period of time at less mileage, requirements maybe met from interagency motor pools or from the Federal Supply Schedules. Otherwise, rent the vehicle for the most economical period. (See FAR Part 8.11).

MOTOR VEHICLE TAGS, SHIELDS, AND OTHER IDENTIFICATION

See FPMR 101-38.3 and 101-38.4. See also AGPMR 104-38.3 and 104-38.4

NARCOTIC SUBSTANCES

See Drugs, page III-22.

NATIONAL DEFENSE CONTRACTING

See FAR 50 and AGAR 450.

OFFICE MACHINES

You may order office machines only to fill essential needs. If the acquisition will increase the inventory, the order must be justified by an increase in employment or by requirements for program efficiency. See P&P 221.1 for guidelines.

PAGE CHARGES

An important method of disseminating the results of ARS research efforts is the publication of articles in scientific journals. These journals generally assess "page charges" for articles published. ARS is authorized to bear this cost under certain conditions.

1. The manuscript must be a concise report of significant, original scientific research in a field within ARS responsibility.
2. The manuscript must include only as much tabular or illustrative material as is strictly necessary.
3. The manuscript must be published in an established, nonprofit scientific journal.

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4. Charges must be levied impartially on all papers published.
5. The journal must maintain an editorial board to assure that editorial policy is not influenced by publication costs.

Charges for author's alterations exceeding \$25, for sooner publication, or for covers on reprints, as well as requirements to buy reprints, are not allowed (see Reprints, below). However, you may obtain a waiver with regard to immediate publication charges if the information is urgently needed and quicker publication gains one cropping season.

To request payment of page charges, submit the AD-700 in three copies, accompanied by any requests for waivers, to either the Area or the Headquarters Information Officer. If approved, appropriate personnel within the Procurement Office will process the order.

"Manuscript handling" fees may also be paid.

PAPER AND PAPERBOARD

Requirements for paper and paperboard stocked by the General Services Administration stores depots should be obtained from that source. Otherwise, needs should be obtained from the Government Printing Office or purchased from commercial sources.

PERSONAL PROTECTIVE EQUIPMENT AND CLOTHING

Generally, purchase of personal items is unauthorized. However, expenditures may be made for clothing or equipment used to protect workers in performance of their jobs.

When ordering or purchasing gloves, safety glasses or equipment, or other protective clothing, document the use to be made and place a certification as follows on the requisition:

Purchase of articles of a personal nature covered by this requisition is authorized under Section 13, Public Law 600, 79th Congress and are for protection of personnel from hazards encountered in their assigned tasks. Except for such hazards occurring in the course of their official duties, these articles would not be required. They will not be used for personal convenience of employees and will remain the property of the Government.

A statement as follows should be placed on the procurement document: "Acquired in accordance with 5 U.S.C. 7903."

PERSONAL INTEREST IN PURCHASES

No ARS employee may -- except as authorized by the Department Personnel Manual -- approve, disapprove, recommend, reject, or otherwise participate in a purchase or contract in which the employee or his or her family or business associates have any interest. Participation with such an interest is a criminal violation subject to fines and imprisonment. See the Employees Handbook, Appendix I, Part 735-41.

PERSONAL OR NONPERSONAL SERVICES

Civil Service laws prohibit hiring or contracting for services which only an employee can perform. These services, called personal services, are distinguished from other services in that they require supervision and control by ARS officials. Since contractors are often directed (and in a sense supervised) the dividing line is often unclear. However, contracts for nonpersonal services are generally those that result in an end product and which do not allow the Government to exercise day-to-day control of the contractor. Contracts for the services and end products of artists, doctors, engineers, or craftsmen are generally classified as nonpersonal. Contracts for personal services are prohibited.

POST OFFICE BOX RENTAL

Under 25 Comp. Gen. 834, payment in advance for post office box rental can be made. However, the rental period cannot extend into more than one fiscal year. You may pay for the period remaining in a fiscal year or at the beginning of each quarter.

PREVENTIVE HEALTH SERVICES AND EXAMINATIONS

Contracts for preventive health care or periodic examinations are authorized if they are in furtherance of Government interests. The need for the service should be documented on the requisition.

PRINTING AND PRINTING EQUIPMENT

(See this Manual and entries on Advertising, Binding of Publications, Calendars, Calling or Greeting Cards, Copying Machines, and Duplicating Machines and Allied Equipment.)

Acquisition and use are regulated by the Joint Committee on Printing, and Congress of the United States. Requisitions for printing equipment, as defined by the Government Printing and

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Binding Regulations, must be submitted to the appropriate Area Office. The printing may be done by GPO or a Regional printing plant, or it may be returned with a waiver which allows local purchasing.

PUBLICATIONS

(a) General. Requirements for published material, including books, periodicals, etc. (except newspapers), not available by assignment from the Department Library, may be purchased by the agencies under authority which has been granted by the Director of the Library. Such purchases are to be made in accordance with standard purchasing procedures. However, the material acquired is subject to the regulations of the Library governing the handling of library material.

(b) Newspapers. Agencies may purchase single issues of or subscriptions to newspapers. Such purchase should be limited to newspapers containing useful data such as price quotations, statistical information, and current indices of trends in commodity operations. Whenever practicable, newspapers carrying approximately the same news in a local area should be subscribed to on a rotating basis rather than simultaneously. No newspapers shall be purchased for the personal use of an employee.

RADIOACTIVE MATERIALS AND EQUIPMENT

The original (supplier copy) and two copies of the AD-838 purchase order, or other purchase document, are submitted directly to the Radiological Safety Staff (RSS). This procedure is to be followed even for small amounts. The supplier copy will be forwarded promptly, if in order, by the RSS, and you will be notified. Two copies of the purchase order or other purchase document shall be forwarded to the RSS.

Requisitions and purchase documents shall contain the following statement:

Radiological Safety Committee Identification Number (enter number), Radioactive Material (or Radiation- Emanating Equipment) for (name of authorized user).

Where radioactive materials are to be furnished gratis, the RSS must be advised of the element, quantity of material, and supplier. The RSS will advise the supplier of any limitations imposed, the covering license, and appropriate related information.

RADIO TRANSMITTING AND RECEIVING EQUIPMENT

Any device transmitting or receiving radio frequency electromagnetic waves through free space -- such as a communications radio, radar, or telemetering or radio-type instruments for research -- requires the assignment of a frequency authorization before procurement. Radio frequency assignments are authorized by the President's Director of Telecommunications Policy through the Interdepartment Radio Advisory Committee (IRAC).

This authorization must be obtained from:

SDA Forest Service
CS&T, Room 808 RP-E
P.O. Box 96090
Washington, DC 20090-6090

You should forward all requests (including excess) for acquisition of radio transmitting and/or receiving equipment, or any other type of radio equipment, to the appropriate Area Administrative Office who will, in turn, forward the request to the Technology Assessment and Support Services Branch, ITD. Also, See P&P 260.1.

RECREATIONAL EQUIPMENT

Only the Forest Service is authorized to provide recreational equipment for employees at isolated stations. Other expenditures are prohibited.

REFRESHMENTS

It is Agency policy that all meals, food, or refreshments for any event, other than those exceptions contained herein, be considered an expense of the individual while in and around their duty station and/or while in an official travel status. **Additionally, Agency appropriated funds will not be used to finance the cost of alcoholic beverages under any conditions.**

The cost or the advance deposit for meals or refreshments for any event, other than those exceptions contained herein, will not be considered a necessary expense or bona fide need and will not be charged to Agency appropriated funds nor will requests for such functions be processed through the Agency's accounting or procurement systems.

Section 1. Providing meals or refreshments to Federal employees, at Government expense, in and around their duty stations.

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It will be Agency policy that appropriated funds will not be used to finance or reimburse meals or refreshments for employees in and around their duty stations except under the exceptional conditions that follow.

Award Ceremonies

The purpose of an “Awards Ceremony” is to allow agencies to recognize employees for meritorious performance, accomplishments, or other significant contributions and enable other employees to honor and congratulate their colleagues.

Agency delegated approving officials may authorize refreshments, foods, or meals at significant Agency or comparable Area/location sanctioned awards functions. At least 50 percent of the function must be dedicated to the award ceremony. Examples of this may include, but are not limited to, Scientist of the Year, Annual Awards Recognition, or other comparable events of a significant nature.

Merely referring to an event as an “Awards Ceremony” for the purpose of providing meals, food, or refreshments is not authorized.

Training

Although training make take many forms, **for purposes of this instruction**, training will be defined as a formal, planned, and structured course of instruction required by the employee in the performance of their official duties that is conducted through a school, institute or other comparable Government or non-Government training facility or conducted in-house through the use of professional, contract-hire instructors or trainers.

It is Agency policy that training costs directly associated with a formal, structured course of instruction may be paid for from available operating appropriations. Relevant expenses may include the costs of tuition, books, supplies, travel, and other costs directly related to the training.

Under this policy concept, delegated officials may approve reimbursement for, or the payment of food, refreshment, or meal costs as an expense necessary for achieving the objectives of the training sessions only when the following four conditions are met:

- 1) the meals or refreshments are incidental to the training session. Training which lasts no longer than the duration of the meal or only a short time before or thereafter, would not qualify;
- 2) attendance at the meal or providing refreshments is necessary for full participation in the event or activities,

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- 3) the employee is not free to take meals or obtain refreshments elsewhere without being absent from the essential discussions, lectures, speeches, or activities concerning the essential purposes of the training; and
- 4) the meal or refreshments are part of the formal event's activities, substantial functions are being conducted, and the meal or refreshments are taken during that time.

Merely calling or referring to an event as training in order to provide meals or refreshments is not authorized.

For purposes of this guidance, **training is not** the Agency's or intra-Government business meetings where the primary participants are Federal employees organized to discuss or instruct persons on matters of Government policy, topics, suggestions, issues, or problems. Although this type of event is both informative, beneficial, and often provides some aspects of "training" for employees, it should not be misconstrued as formal training for purposes of providing meals, food, or refreshments.

Cultural Awareness Programs

The costs of providing small "samples" of ethnic foods may be authorized during a formal ethnic awareness program and may be paid for from the Agency's operating appropriations. The primary intent will be to increase employee awareness of, and appreciation for, the cultural heritage being celebrated. The samples must be distinguished from meals or refreshments which remain unauthorized for such an event.

Formal Meetings and Conferences

Formal meetings and conferences, for purposes of this guidance, are clearly distinguished from **internal** Agency or other intra-Government **business meeting and conferences** in that they are generally sponsored or cosponsored by outside, non-Federal organizations and attendance and participation at the meeting or conference is mutually beneficial to both the Federal and non-Federal entities. The majority of participants are generally non-Federal employees. This type of meeting or conference often has a registration fee that may include the cost of a meal or refreshments.

In unique situations, ARS or another USDA agency may be the sole host of such a conference or meeting. Examples of this could include a USDA agency hosting a conference where the majority of attendees invited are non-Federal collaborators or other non-Federal participants invited to discuss national or international priorities of a mutually beneficial nature.

Delegated officials may approve the payment of meals, food, or refreshments as an expense necessary to the formal meeting or conference when the following four conditions are met:

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- 1) the meals or refreshments are incidental to the meeting or conference;
- 2) attendance at the meal or providing refreshment is necessary for full participation in the meeting or conference;
- 3) the employee is not free to take meals or obtain refreshment elsewhere without being absent from the essential discussions, lectures, speeches, or activities concerning the essential purposes of the conference or meeting; and
- 4) the meal or refreshment is part of the formal event's activities, substantial meeting or conference functions are being conducted, and the meals or refreshments are consumed during that time.

Research Conferences and Symposiums Funded by Grant Award

ARS occasionally provides partial funding through grant awards in support of research conferences and symposiums which compliment ARS in-house research programs. The rules governing the costs of meals, food, and refreshments (including travel expenses) under a grant award are subject to applicable OMB cost principles and generally include the following provisions:

- 1) meals, food, and refreshments (including travel expenses) are an allowable cost allocable to the grant award in performance of the conference or symposium when prior approval is provided by ARS;
- 2) to the extent that such costs are identifiable to a specific object class (budget cost objective) they will be charged to that object class; and
- 3) grant funds will not be used to pay the travel costs, or meals, food, and refreshments for Federal employees or employees of the grantee.

Ground Breaking and Building Dedication Ceremonies

Expenses incidental to building dedication ceremonies, ground breaking, and laying of cornerstones in connection with the construction of an Agency facility should be properly chargeable to the appropriation used to finance the construction of the building or facility.

Delegated approving officials may authorize light refreshments at these traditional ceremonies chargeable to the Building and Facilities appropriation financing the building construction. Meals including luncheons, buffets, dinners, or comparable catered events are not authorized.

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Annual operating appropriations should not be used to finance the preceding traditional ceremony expenses for buildings financed under the Buildings and Facilities appropriation. Amounts financed are always subject to fund availability of the appropriation.

In unique situations, a traditional ceremony may accompany a major modernization or renovation project financed with other than Buildings and Facilities appropriated funding: e.g., repair and maintenance, and operating funds. In those unique situations, available operating funds, citing the fiscal year that the traditional ceremony occurs, may be used to finance the cost of the traditional ceremony which may include light refreshments. Prior year funds will not be used to finance costs of traditional ceremonies.

Special Note: It is acceptable to encourage and/or share traditional ceremony costs with interested cooperators, trade associations, or other non-Federal entities that have a mutual interest in participating in the Agency's Ceremony.

Inter/Intra-Agency Business Meetings, Conferences, or Similar Events

These events are defined as meetings, conferences, or any other event where the majority of attendees are Federal employees and the purpose of the function is to discuss day-to-day business, planning, or other Agency or Federal policy matters.

It is Agency policy not to pay for refreshments and meal expenses for such events.

Informational Activities (Open Houses, Farm Day, Tour Day, Research Field Day, Other Educational Events, to educate the public and private industry).

It is Agency policy not to pay for refreshments and meal expenses for informational activities.

If another organization cosponsoring and Informational event, or a third party not-for-profit entity participating in the event chooses to provide refreshments, all attendees can partake of the refreshments.

Section 2. Providing meals or refreshments at Government expense for Federal employees in an official travel status and authorized per diem.

Federal employees on official travel may be authorized a per diem allowance as part of their official travel expenses. The per diem allowance is provided to cover the cost of lodging, meals, and incidental expenses while on official duty away from their duty stations.

Individuals on official travel and authorized per diem who are provided a meal at Government expense (e.g., in conjunction with an Agency awards luncheon or training and which is included in a prepaid conference or registration fee etc.), will reduce their per diem rate or final travel claim accordingly for all meals received.

The cost of meals at inter/intra-Agency business activities, or securing meals by advance payment, should be handled through direct remittance to the hotel, restaurant, or caterer by the individuals attending the event: or other informal means developed by the sponsoring organization or event coordinator. Agency appropriated resources will not be used to finance or secure meals to be provided at inter/intra-Agency business events, nor should requests for such events be processed through Government accounting or procurement systems.

EXCEPTION:

There is one exception to the preceding policy regarding meals provided at inter/intra-Agency business activities. Meals (not refreshments) may be provided through contractual arrangements through a lodging establishment, restaurant, or caterer when:

1. the meeting site is in a remote location and there are no other adequate facilities for meals in a reasonable commuting area; and
2. the cost of the meals provided does not exceed a per person/per meal cost of what would otherwise be permitted through applicable per diem rates.

Under this exception all persons on official travel and per diem must be instructed to reduce their final travel vouchers for meals provided at Government expense. Any person in and around their duty stations or not on official travel will reimburse the lodging establishment, restaurant, or caterer directly for meals provided.

Section 3. Invitational travel for Non-Federal persons

Generally, non-Federal participants at Federal events may not be provided meals or refreshments at Government expense. However, under certain circumstances, non-Federal persons may be placed on temporary duty travel and receive travel and per diem allowances. Travel for invited non-Federal persons is referred to as Invitational Travel.

Invitational travel authorizations enable non-Federal persons to receive allowances for meals, food, transportation, and miscellaneous expenses. The invitational travel authorizations are governed by the same regulations, reimbursement, and allowance thresholds as those for Federal employees on official travel. Approving officials may choose to limit or restrict certain portions of the travel expenses or reimbursement as they deem appropriate.

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Invitational travel may be issued to:

- Individual(s) serving intermittently in the Government service as an expert or consultant who provide a direct service to the Government by making a presentation or advising in an area of expertise.
- Non-Federal award recipients, spouses of awardees, and attendants of handicapped award recipients. (Per Departmental Regulation, Invitational Travel Authorizations for this purpose require concurrence of the Agency Head).
- Spouse or family members of a Federal employee who attend security training by the State Department, prior to permanent duty assignments overseas.
- Guest instructors or speakers for conducting training courses or participating in cultural awareness events.
- Congressional committee members and staff conducting reviews of Agency programs and facilities.

Non-Federal participants on invitational travel must reduce their per diem allowance claims by the amounts specified in the regulations for each meal furnished to them by the Government.

Supplemental guidance regarding the preparation of invitational travel and for cost sharing or distribution of conference/meeting charges is provided as follows:

Invitational Travel Procedures for Non-Federal Persons

Use of AD-202 (Travel Authorization) is an appropriate vehicle to finance the cost of meals, transportation, and other expenses of non-Federal employees under invitational travel.

Approving officials may issue either an individual or multiple (group) Form AD-202 to non-Federal participants covered under invitational travel. The AD-202 will identify all expenditures authorized at the discretion of the approving official.

Non-Federal participants on invitational travel must reduce their per diem allowance claims by the amounts specified in the regulations for each meal furnished to them.

Invitational travel authorizations may also be issued where reimbursement is considered “in-kind” and no voucher will be filed. For example, the invitational travel authorization may state that either breakfast, lunch, or dinner will be provided as “in-kind” reimbursement at ARS expense. (Meals may only be provided consistent with the exceptional situations contained in this guidance). This would be an acceptable means of providing a meal(s) where no other

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reimbursement is authorized. For audit purposes, all invitational travel orders issued should contain a statement citing the specific purpose of the invitational travel and the service to be performed as a benefit to the Government: e.g., deliver a speech, provide expert advice, etc..

REFRIGERATORS

See the GSA Supply Catalog.

RENTAL OF EQUIPMENT

(a) Policy. When the need for equipment is so limited as to make it uneconomical to purchase, such equipment may be rented or obtained on loan.

(b) Advertising. The provisions of FAR Part 14, requiring advertising for supplies or services, is applicable to rental of equipment. (See 18 Comp. Gen. 579.)

(c) Written contract. As a matter of good business, rental or loan arrangements should be covered by a written order, contract, or agreement, regardless of the amount involved, thereby fixing the responsibilities of the parties concerned.

(d) Special contract provisions.

(1) Operating supplies. In the case of motorized equipment the specifications should state clearly whether the Government will furnish gasoline, fuel oil, lubricating oil, etc.

(2) Repairs by the Government. The contract should be specific as to which party shall be responsible for repair and maintenance of the equipment and the liability and extent of loss assumed by each. If the Government is to assume this responsibility, it is desirable to establish a monetary limit of liability therefore, such as not to exceed the value of the equipment being rented. The contract may provide for the assumption of liability for the equipment during the period it is in the Government's possession. Funds may be expended by the agencies for necessary repairs so long as the property continues in use by the Government. After the property has served its purpose, however, if there is damage to or loss of the property, a claim for such damages must be referred to the General Accounting Office for settlement unless the obligation of the Government is liquidated by the contract. For example, the contract may place a value on the property to be paid in the event of total loss.

(3) Rental period. The rental should be for a definite period of time and be such as would not carry it beyond the time for which an appropriation is available. However, if the basis of payment is in terms of hours, days, etc., requirements may be stated in terms of estimates when the exact requirements are not known.

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(e) Purchase option in rental contracts. When there is reason to believe that conditions may require continued use of the equipment to the extent that rental would be uneconomical, bidders may be asked to indicate in their bids at what price they would be willing to sell the equipment should the Government elect to purchase at a later date prior to the expiration of the rental agreement. Bidders should be asked also to indicate how much of the rental price may be applied against the purchase cost. Award of bids for rental-purchase of equipment should be based entirely upon the price and conditions of rental as the purchase may or may not be effected.

RENTAL OF EQUIPMENT FROM FOREST SERVICE

The Forest Service may rent equipment to other Federal agencies at rates sufficient to cover the cost of the repair, maintenance, and depreciation thereof. (16 U.S.C. 578,580.)

REPRINTS

Purchase of reprints of information materials is authorized. ARS will pay for outside reprints unless an agreement to purchase reprints has been made as a condition of publishing the article or unless covers are offered as a part of the reprint at extra cost. Two copies of the AD-700 should be submitted to the appropriate Procurement Office, completed as provided in AM 150.7. A maximum of 300 reprints for the first author and 100 each for coauthors, not to exceed 500 total, may be purchased.

RETURNABLE CONTAINERS

Supplies are sometimes furnished in containers that are of such construction that they can be used repeatedly. Contractors very often do not include such containers in the sales contract, but loan or rent them to purchasers of their products. The bid invitations should provide for such loan or rental and for payment of cash value in case of loss or damage while in possession of the Government. Contractors customarily loan such containers free for certain designated periods -- such as 30, 60, or 90 days -- after which there is a rental or demurrage charge for containers not returned before the end of the free period. The containers are usually numbered for purposes of identification.

Demurrage computations. Frequently, long periods elapse before some containers are emptied and returned. If payment is made for each container, considerable demurrage would frequently occur. Accordingly, provisions should be made in the bid for the return of the containers and payment of demurrage under the "quantity-basis" system. For example, with a 30-day free period, if ten containers obtained July 1 are held for 45 days, and ten obtained July 13 are held for 15 days, no charges accrue under the "quantity basis" because ten containers will have been returned at the close of July and the remaining ten can be held until August 16. If demurrage

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had been payable on each individual container, there would have accumulated 150 days demurrage on the containers obtained July 1 and returned August 15, even though the ten obtained July 15 were returned when only half the allowable free period had expired.

SPACE STUDIES, LAYOUTS, AND INTERIOR DESIGN

See FPMR 101-20.

STANDARD FORMS AND BLANKBOOK WORK

(a) Forms. The regulations of the Joint Committee on Printing and those of the General Services Administration require that standard forms be obtained from GSA. By arrangement with the Government Printing Office, GSA also stocks for issue as supply items other forms commonly used by Federal agencies, such as miscellaneous forms, Civil Service Commission forms, etc. Agencies shall therefore obtain from GSA all forms that are listed in the GSA Store Stock Catalog, except as provided below, or otherwise specifically authorized:

(1) Requirements in the District of Columbia will be filled from stocks of the Consolidated Forms and Publications Distribution Center, USDA Office of Operations.

(2) Standard forms which require overprinting, serial numbering, or other alteration, and those requiring paper of a different grade, weight, or color, will be obtained from the Government Printing Office through the Office of Communication, as provided in FAR 8.8 and AGAR 408.8.

(3) Orders for large quantities of forms which GSA is unable to fill from stock at either the region with which the order is placed or Region 3, Washington, D.C., will be ordered by GSA from the Government Printing Office for production and direct delivery to the requisitioning agency, when feasible, and when the size of the order justifies a separate printing. Government bills of lading, if required, will be furnished by GSA. In such cases, the GPO will bill GSA for the forms shipped and GSA will collect from the receiving agency.

(b) Blankbook work. Miscellaneous supplies, commonly known as blankbook work, such as stenographers' notebooks, ruled cards, stock columnar pads, etc., are also stocked by GSA supply centers, and are listed in the Store Stock Catalog. Agencies should obtain their requirements of such supplies from the supply centers, except for Washington, D.C., needs, which will be obtained from the Central Supply Section.

(1) Waiver. The Government Printing & Binding Regulations, issued by the Joint Committee on Printing, provide that blank books not available through GSA but regularly carried in stock by commercial dealers and which require no printing and/or binding operation after receipt of order may be procured without obtaining a waiver from the Government Printing

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Office: Provided, That no order or orders issued by a purchasing office for each type of blank book exceeds \$1,000 in any one year.

STENOGRAPHIC REPORTING

The Department is authorized under 7 U.S.C. 2232 to purchase stenographic reporting services. Such services will be purchased in accordance with the rules governing purchases in general. The Department enters into a contract each year covering stenographic reporting service in the United States (including Puerto Rico and the Virgin Islands) which provides for the transcribing of records of all public hearings conducted by the Department. That contract shall be utilized for stenographic reporting services required at all public hearings in connection with quasi-judicial, quasi-legislative, and other administrative proceedings. Term contracts for reporting services are also entered into by the General Services Administration and Other Government agencies. These latter contracts may be used for proceedings not covered by the Department contract; such as for security hearings, meetings, conferences, etc. Information concerning reporting services provided for under existing contracts may be obtained from the Procurement, Grants and Agreements Management Staff, Office of Operations.

SUBSCRIPTIONS

Subscriptions for periodicals, newspapers, and other publications for which an on-going requirement exists should be for multiple years rather than for a single year where this is advantageous for the purpose of economy or otherwise. Where offices are subscribing to the same publication, consider consolidating these requirements to the extent practical. Payment covering issues to be delivered during the entire subscription period may be made in advance (up to five years) from currently available appropriations (31 U.S.C. 530a).

TAX ON PURCHASES

The Federal Government is exempt from State and local taxes. However, the Government is not exempt from all Federal excise taxes. Prime and subcontractors are liable for both State and local and for Federal taxes, unless otherwise exempted (see FAR 29.2 and 29.3). Evidence of exemption should be furnished to suppliers as provided in FPR 29.302 (b). See NFC Procedures Manual, Title II, Chapter 5, Section 5,327.

TELECOMMUNICATIONS SERVICES AND EQUIPMENT

Provision of telecommunications services and equipment is controlled by GSA. Applicable regulations appear in FAR 39.

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TRADING STAMPS, REDEEMABLE COUPONS, ETC.

The Comptroller General has ruled that the giving of trading stamps is a means of granting a discount for cash payment of small purchases. Therefore, trading stamps, redeemable coupons, and the like must be accepted.

Every reasonable effort shall be made to obtain prices not involving stamps or coupons. Where this is not feasible, stamps or coupons must be accepted. They shall then be forwarded to the appropriate Property Management Officer, unless accepted while operating a GSA motor pool vehicle. In such case, they shall be turned in with the service station delivery receipt.

It is a custom in business to induce potential customers with tangible items given free in return for their trade. For example, service stations may offer free packets of seeds or tableware with each tankful of gasoline. Most of these items are of no feasible official use, and the cost of collecting them for other Agency use is prohibitive. Such items should not be accepted for personal use of the employee since they could be considered a gratuity.

TRAINING SERVICES

Training services are defined in Department Personnel Manual, Chapter 410, Subchapter 1, paragraphs 9b and 10a; and generally cover training provided by non-Government employees or by, in, or through non-Government facilities. Outside training of employees is subject to prior approval by either the Director of Personnel, or the agency head or his designee in accordance with Department Personnel Manual, Chapter 410, Subchapter 3-2. The purchasing officer should have assurance that this approval has been obtained prior to purchasing training services. These services may be procured without formal advertising and payments may be made in advance to the employer or to the training facility without regard to Revised Statute 3648 (31 U.S.C. 529).

Otherwise, purchase of such services should be made in accordance with the procedures of the FAR and the AGAR subject, however, to the following special requirements: Section 14 of the Government Employees Training Act, 5 U.S.C. 4107(a) as implemented by Civil Service Training Regulations 5 CFR 410.504; and Department Personnel Manual, chapters 410 and 732 which contains the following requirements:

(a) Training provided by organizations: When the outside training is to be conducted by, in, or through an organization, the requirements of 5 U.S.C. 4107 (a) are met if the Purchasing Agent determines that the organization is not on the list of organizations designated by the Attorney General pursuant to section 12 of Executive Order 10450 listed on Civil Service form 385, cited in the Department Personnel Manual, chapter 732, subchapter 8-1.

(b) Training provided by an individual: when the training is to be conducted by an individual with whom contractual or other arrangements are made directly, a loyalty determination

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must be obtained from the office of personnel in accordance with Department Personnel Manual, Chapter 410, subchapter 5-2c. This determination must be made prior to contracting with or otherwise arranging for the services except in emergency situations, under which circumstances such determination must be made prior to payment. In addition there must be obtained from the individual an affidavit, certificate, or express contractual warranty that he does not teach or advocate the overthrow of the Government of the United States by force or violence. This requirement that an affidavit certificate, or express contractual warranty must be obtained does not apply (1) to individuals who perform training under oral or other informal arrangements for periods of sixteen hours or less within a single program; or (2) to individuals who perform training without compensation by the Government (whether or not the Government provides payment or reimbursement for their travel and subsistence incident to such training). The following certificate, where applicable, must be dated and signed by the individual who is to perform the training, and will be sufficient for the purposes outlined above:

I-----of-----
(Name) (Location)

do hereby certify that I do not teach or advocate the overthrow of the Government of the United States by force or violence.

Signed _____,
(Date)
at _____

(c) Schools or other facilities which (1) discriminate because of race, creed, color, or national origin in the admission or subsequent treatment of students or (2) place any restrictions on trainees because of race, creed, color, or national origin, may not be used for training at Government expense. If an agency plans to make use of a school or facility, and does not know whether it complies with this policy, the agency shall submit a report to the Office of Personnel in accordance with DPM AG Chapter 410, Subchapter 5-3c.

TRANSLATION SERVICES

Before requesting translation services, check with the Reference Division, Technical Information Systems (TIS), to determine that the specific material has not previously been translated.

Obtain services from ARS translators when practicable. When a translation is required and cannot be made by ARS personnel, submit the AD-700 and the material to be translated to the Area Administrative Office.

Translation services may be procured from:

Department of Commerce
Joint Publications Research Service (JPRS)
1000 North Glebe Road
Arlington, Virginia 22201

at a rate of \$25 for each 1,000 English words resulting from the translation. They may also be procured from any competent private firm or person.

When a translation has been received, forward two copies, with the name of the translator or contracting firm, direct to:

U.S. Department of Agriculture
TIS Reference Division
National Agricultural Library
Beltsville, Maryland 20705

TUBERCULIN, SERUMS, ANTITOXINS, ETC.

Purchases may be made without advertising of samples of tuberculin, serums, antitoxins, or analogous products, of foreign or domestic manufacture, which are sold in the United States for the detection, prevention, treatment, or cure of diseases of domestic animals. (7 U.S.C. 430.)

TWINE

All purchases of twine shall be governed by the following provision which appears in the annual Agricultural Appropriation Act:

* * * that, except to provide materials required in or incident to research or experimental work where no suitable domestic product is available, no part of the funds appropriated by this Act shall

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be expended in the purchase of twine manufactured from commodities or materials produced outside the United States.

TYPEWRITERS

See FPMR 101-25.104 and 101-25.403.

VISUAL SERVICES

(a) Washington, D.C. area. All art and graphic, exhibit, still photograph, motion picture production requirements and photographic production equipment shall be ordered through the Office of Communication on a reimbursable basis, except as otherwise authorized by that Office. Projection equipment and still cameras are excluded from this requirement.

(b) Field Offices. All procurement of motion picture production equipment, production services, and processing arrangements shall have prior approval of the Office of Communication.

(c) Prior Approvals. All procurement of motion picture production equipment, production services, and processing arrangements shall have prior approval of the Office of Communication.

(d) Microform Retrieval Equipment Guide. As a guide for determining equipment selection and other general information concerning the uses of microfilm retrieval equipment, agencies may obtain from GSA supply depots the Microform Retrieval Equipment Guide. Ordering information is shown below.

Stock No.	Title
7610-00-181-7579-----	Microform Retrieval Equipment Guide

WATER COOLERS

See the GSA Supply Catalog.

YEAR-END PURCHASING

No unnecessary expenditure of year-end balances (that would otherwise revert to the Treasury) for supplies, materials, etc., is authorized.

During the closing months of the year, a considerable amount of purchasing may occur:

1. Because of the agricultural nature of the work.

2. Where no amount of advance planning can materially affect the timing of purchases, as in cases where special appropriations are made late in the year and in such unusual instances as restoration expenses due to tornadoes and fires, unavoidable procurement delays, etc.
3. In connection with continuing appropriations, where fiscal year-ends have no particular significance in the timing of purchases.
4. Where, due to prudent program management, obligations for needed supplies, equipment, or services have been deferred as a matter of administrative determination until the latter part of the fiscal year in order that the activity concerned might be kept in position, during the earlier parts of the year, to meet emergencies or other exigencies that might arise.

Substantial attention has been focused on the problem of year-end purchasing. A requirement has been instituted: Obligations for the fourth quarter of the fiscal year are not to exceed obligations for the third quarter, except where a higher level is fully justified to carry out a seasonal requirement or essential program objective or to restore to approved levels, in an orderly way, a program that has slipped behind schedule.

