



COMPTROLLER GENERAL OF THE UNITED STATES

WASHINGTON

AUG 21 1937

A-88307

Chairman,

Federal Trade Commission.

AUG 21

Sir:

Your letter of August 10, 1937, is as follows:

"Herewith are bills of the United States Recording Company for \$12.40 and Harris & Ewing for \$10 covering the cost of two twelve inch recordings of a speech made by the President of the United States at the ceremonies held on July 12, 1937, in connection with the laying of the corner-stone of the new Federal Trade Commission building, and a group photograph of the members of the Federal Trade Commission respectively.

"These two items were ordered by the Federal Trade Commission for the purpose of enclosing them in the metal container which was placed in the corner-stone in accordance with the usual custom, and the Commission has approved the payment of these bills. The photograph referred to was actually placed in the metal container but as this container had to be hermetically sealed prior to the time the ceremonies were held it was impracticable to enclose the recordings of the speech referred to. An effort was made to cancel the order for the speech recordings but this could not be accomplished as the equipment necessary to make same had been installed and the company expected payment therefor.

"The question has been raised as to the availability of the appropriation of the Federal Trade Commission to pay the enclosed bills. The appropriation act of the Federal Trade Commission provides as follows:

"For five commissioners, and for all other authorized expenditures of the Federal Trade Commission in performing the duties imposed by law or in pursuance of law, including secretary to the Commission and other personal services, contract stenographic reporting services; supplies and equipment, law books, books of reference, periodicals, garage rentals, traveling expenses, including not to exceed \$900 for expenses of attendance, when specifically authorized by the Commission, at meetings concerned with the work of the

Federal Trade Commission, for newspapers and press clippings not to exceed \$600, foreign postage, and witness fees and mileage in accordance with section 9 of the Federal Trade Commission Act; \$1,950,000: Provided, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5) when the aggregate amount involved does not exceed \$50.'

"Your decision as to the availability of the appropriation of the Commission to pay for these two items is respectfully requested."

Expenses of recording the President's speech and photographing the members of the Commission were not required in the performance of the duties imposed by law or in pursuance of law upon the Federal Trade Commission and the appropriation for the expenses of your Commission is not therefore available for such expenses.

The laying of cornerstones has been connected with the construction of public buildings from time immemorial and any expenses necessarily incident thereto are generally chargeable to the appropriation for construction of the building. The uses of such appropriation are primarily for administrative consideration of the Secretary of the Treasury, who if in doubt as to this particular expenditure may submit the question to this office for decision.

The inclosures in your letter are returned.

Respectfully,

(Signed) R. N. Elliott

Acting Comptroller General
of the United States.

Inclosures