

**Forest Service Handbook
National Headquarters - Washington Office
Washington, DC**

**Forest Service Handbook 6509.11g – Service-Wide Appropriation Use Handbook
Zero Code**

Amendment: 6509.11g-2021-3

Effective date: December 22, 2021

Duration: This amendment is effective until superseded or removed.

Approved by: Robert Velasco, Chief Financial Officer

Date approved: August 30, 2021

Responsible Staff:

Last Change: 6509.11g-2021-2 to 6509.11g_50.

Superseded Document(s): 6509.11g, 0 Code, Amendment 6509.11g-2010-1; id 6509.11g-2017-1, May 25, 2017

Digest: Following is an explanation of the changes throughout the directive by section.

Zero Code: This amendment revises the entire chapter. Updates authority, objective, policy, responsibility, and definition sections to reflect current direction. Noteworthy changes are listed.

06.1 thru 06.43: Establishes codes, captions, and sets forth direction on programs, appropriations use, employee salary and personnel related expenses, and authorized purchases that affect Forest Service Programs.

6.43c: Establishes code, caption, and sets forth direction on “Work Financing Principle.”

07: Renames caption from “Coding Structure and Integration with Work Planning” to “Work Planning” and sets forth direction.

08.1: Establishes code, caption, and sets forth direction on “Appropriation and Fund Requirements.”

08.2: Establishes code, caption, and sets forth direction on “Expenditure Adjustments between Units.”

Table of Contents

01 - Authority	4
02 - Objectives.....	5
03 - Policy.....	5
04 - Responsibility	6
04.1 - Washington Office.....	6
04.1a - Chief.....	6
04.1b - Deputy Chiefs	6
04.1c - Deputy Chief, Business Operations	7
04.1d - Chief Financial Officer	7
04.1e - Director of Budget and Finance	7
04.1f - Director of Financial Policy	8
04.1g - Director of Strategic Planning, Budget and Accountability (SPBA)	8
04.1h - Director of Financial Management Systems (FMS).....	9
04.1i - Washington Office, Staff Directors	9
04.2 - Regions, Forests, Stations, Research Work Units, International Institute of Tropical Forestry (IITF), Forest Products Laboratory, and Job Corps Centers.....	10
04.2a - Line Officers.....	10
04.2b - Staff Officers (Field)	11
04.3 - All Employees.....	11
05 - Definitions.....	12
06 - General Rules for Appropriation Use	14
06.1 - Nominal Value Items for Dissemination of Program Information	15
06.2 - Employee Appropriation Use.....	16
06.21 - Salary and Expenses.....	16
06.22 - Nonmonetary Awards for Employees, Private Individuals, and Organizations	17
06.23 - Employee Award Ceremonies	17
06.24 - Employees’ State Licenses and Certification Fees	17
06.25 - Employee Legal Fees	17
06.26 - Federal Daycare Operations.....	18
06.3 - Refreshments, Food, and Related Topics	18
06.31 - Authorized Purchases of Refreshments and Food	18
06.31a - Travel Status	18
06.31b - Conferences, Meetings, Training, and Other Gatherings	18
06.31c - Food for Non–Federal Individuals	20
06.31d - Cultural Awareness Programs.....	20
06.31e - The Chief’s Official Reception and Representation Expenses.....	21
06.31f - Purchase of Bottled Drinking Water	21
06.32 - Other Items	21
06.32a - Seasonal Decorations	21
06.32b - Wellness and Fitness Programs	22
06.32e - Recreation Facilities and Services for Employees	22

Forest Service Handbook 6509.11g – Service-Wide Appropriation Use Handbook

Zero Code

Amendment: 6509.11g-2021-3

Effective date: December 22, 2021

06.32f - Telephone Service and Tolls	23
06.32g - Membership Fees and Dues.....	23
06.32h - Telephone Calling Card.....	23
06.32i - Business Cards	24
06.32j - Professional Liability Insurance	24
06.32k - Employee Association Activities and Charitable Fund Drives	24
06.32l - Purchasing Permits When Required by Statute for Forest Service Activities ..	24
06.32m - Emergency Operations	25
06.32n - Relocation Expenses of Displaced Persons	25
06.32o - Search and Rescue Operations	26
06.32p - Snow Removal	26
06.32q - State and Local Taxes	26
06.32r - Investments in Treasury Securities.....	29
06.33 - Specific Appropriation Use.....	29
06.33a - Specific Versus General Appropriation.....	29
06.33b - Two or More Specific Program Codes	30
06.33c - Work Financing Principle	30
07 - Work Planning	30
08 - Financial Controls	31
08.1 - Appropriation and Fund Requirements.....	31
08.2 - Expenditure Adjustments between Units.....	31

The purpose of this handbook is to consolidate appropriation use guidance and instructions. Users should take note of supplemental direction issued elsewhere, such as the Annual Program Direction which also reflects annual Appropriations Acts and the Forest Service Budget Justification.

01 - Authority

Authorities pertaining to each chapter are set forth in the respective chapter of the FSH 6509.11g, Service-wide Appropriation Use Handbook. In addition, adhere to the following authorities:

1. Comptroller General Decisions. The text of these decisions illustrates the application of appropriations law principles to actual operations, in response to questions posed in writing to the Comptroller General (<https://www.gao.gov/legal/>).
2. Government Accountability Office (GAO) Publication, “Principles of Federal Appropriation Law.” This publication, commonly called “The Red Book,” provides guidance on reference to specific legal authorities to illustrate the principles discussed, their application, statutory provisions, and other relevant sources (<http://www.gao.gov/legal/index.html>).
3. Title 31, United States Code, sections 1301, 1341, 1342, 1502 1517, 3302, and Title 18 United States Code, section 209 (31 U.S.C. 1301, 1341, 1342, 1502, 1517, 3302, and 18 U.S.C. 209). These sections set forth the statutory requirements for the legal expenditure of appropriations
4. Departmental Regulation Number 4040-430. This DR sets forth the United States Department of Agriculture’s (USDA) policy for the Non-Executive Performance Management Program within the Appraisal System approved by the Office of Personnel Management (OPM) on January 10, 2020, with an effective date of October 1, 2020. It also sets forth USDA’s policies for the Employee Awards and Recognition Program.
5. Government Employees Incentive Awards Act (5 U.S.C. 4501-4507). The act authorizes an agency to issue nonmonetary awards to employees to acknowledge small acts that may otherwise go unrecognized. It also provides at section 4503 that the head of an agency may pay a cash award, incur necessary expenses for the honorary recognition of an employee, or authorize a nonmonetary award.
6. 16 U.S.C. 556h. This law authorizes the use of funds available to the Forest Service to provide nonmonetary awards of nominal value and incur necessary expenses for the recognition of private individuals and organizations making contributions to Forest Service programs.
7. The “Service First” Initiative (43 U.S.C. 1703). This act allows all United States Department of Agriculture (USDA) and U.S. Department of Interior (USDI) agencies to

develop projects and conduct activities jointly or on behalf of one another, collocate in Federal offices or leased facilities, make reciprocal delegations of their respective authorities, duties, and responsibilities, and make transfer of funds and reimbursement of funds on an annual basis, including transfers and reimbursements for multi-year projects.

8. Further Consolidated Appropriations Act, 2020 (Pub. L. 116-94). This Act requires the Forest Service to restructure budget as directed by Section 435 of Division D, Title VI, General Provisions. The Forest Service Operations Treasury account was established for:

- a. Salary and Expenses,
- b. Facility Maintenance and Leases,
- c. Information Technology, and
- d. Organizational Services.

In addition, Salary and Expenses budget line items were created for Research and Development, State and Private Forestry, National Forest System and Wildland Fire Management. The Act also changes Wildland Fire Management Funds from multi-year to no-year funds.

9. Title 5, United States Code, section 7901 (5 U.S.C. 7901) and Title 5, Code of Federal Regulations, (5 CFR part 792). The act authorizes the head of each agency to establish a health-service program to promote and maintain the physical and mental fitness of employees, within the limits of available appropriations. There is no authority to pay for employee family member access to fitness facilities or authority to buy insurance for others who may be injured using government equipment and facilities.

10. Internal Revenue Service Private Letter Ruling 9029026 (April 20, 1990). States that amounts reimbursed by employers to employees for membership in an exercise or fitness facility are taxable fringe benefits to the recipients.

02 - Objectives

1. Provide detailed descriptions of Forest Service appropriations and funds, including limitations and intended uses.
2. Provide direction to Managers for proper obligation and expenditure of appropriations and funds to comply with applicable laws, rules, and regulations.

03 - Policy

1. Follow the applicable laws, legal decisions, rulings of the Comptroller General, and agency direction in the obligation, expenditure, budgeting, and accounting of appropriations and funds.

2. Charge expenditures only to the appropriation available for the purpose of the expense.
3. Authorize obligations and/or make payments from an appropriation only within the amounts available or that are provided by law. (See FSH 6509.11k, ch. 51)
4. Finance resource work to achieve ecological restoration, integrating programs to include components of cross-Deputy Area programs in accordance with Appropriations Law, Comptroller General Decisions and other appropriation guidance. Take a holistic approach to all management activities to leverage funds and work effectively at a landscape scale.
5. Ensure that sufficient internal controls are in place to require unliquidated obligations be consistently and systematically evaluated for validity, and that unliquidated obligations found unnecessary are promptly adjusted to make funds available for authorized purposes. Follow guidance in FSH 6509.11k, chapter 51, Obligations, and FSH 6509.11k, chapter 52, Administrative Control of Funds.
6. Manage procurement and financial management processes to ensure funds are spent in an appropriate and timely manner.
7. Specific Standard Operating Procedures (SOP) direction required by this directive for day to day activities of staff area business processes can be found at <https://usfs.app.box.com/v/cfostandardoperatingprocedures/>. These SOPs provide a description of process steps and required key control activities in accordance with the GAO Green Book, (<https://www.gao.gov/greenbook/overview>) to include controls to separate incompatible duties and responsibilities.

04 - Responsibility

04.1 - Washington Office

04.1a - Chief

The Chief is responsible for ensuring controls and supervision are in place over the legal use of appropriations and other funds.

04.1b - Deputy Chiefs

It is the responsibility of the Deputy Chiefs to:

1. Ensure appropriations and other funds are used and controlled in compliance with legal requirements and agency policy.
2. Obtain appropriation guidance on appropriation law from this handbook and from the Director of Financial Policy.

Guidance documents lack the force and effect of law, unless expressly authorized by statute or incorporated into a contract. USDA may not cite, use, or rely on any guidance that is not available through their guidance portal, except to establish historical facts.

3. Obtain guidance on appropriation fund use from this handbook, and the Director of Strategic Planning, Budget and Accountability.
4. Work with the Director of Financial Policy to update this handbook as required (such as, provide the Director of Financial Policy information on new funds within your program areas, along with information on the fund usage).

04.1c - Deputy Chief, Business Operations

In addition to the responsibilities listed in section 6510.41b, the Deputy Chief for Business Operations is responsible for:

1. The Job Corps National Field Office and the Job Corps Civilian Conservation Centers (FSH 1809.12); and
2. Overall budget formulation, presentation, and execution. Serves as the primary coordinator with the Office of Management and Budget (OMB), U.S. Department of Agriculture (USDA), and agency staffs.
3. Provide guidance on appropriation fund use through the Director of Strategic Planning, Budget, and Accountability.

04.1d - Chief Financial Officer

It is the responsibility of the Chief Financial Officer (CFO) to:

1. Issue policies (through the Director of Financial Policy) regarding appropriation guidance and the use of appropriations and other funds within the Agency.
2. Ensure agency appropriations are used and controlled in compliance with legal requirements and agency policy and refer unresolved appropriation fund use issues to the Director of Strategic Planning, Budget, and Accountability (through the Director, Financial Policy) for resolution.
3. Ensure necessary and required system and internal controls are in place within the Agency core accounting systems.
4. Ensure necessary and required system and internal controls are in place within applicable agency automated or manual tools to ensure the appropriate level of fund controls (see 6509.11k, ch. 50).

04.1e - Director of Budget and Finance

It is the responsibility of the Director of Budget and Finance (B&F) to:

1. Ensure all known agency accounting and budget transactions are documented in the Agency core accounting system or related subsystems, and accounted for, reported, and

Guidance documents lack the force and effect of law, unless expressly authorized by statute or incorporated into a contract. USDA may not cite, use, or rely on any guidance that is not available through their guidance portal, except to establish historical facts.

managed in accordance with OMB and U.S. Department of Treasury direction. These accounting events must ensure compliance with legal requirements and agency policy.

2. Set standards in order that budget and accounting transactions are processed in an accurate manner within the time frame defined by B&F processing standards, resulting in periodic financial reports being reliable and complete. These standards must meet criteria established by OMB, U.S. Department of Treasury, USDA, and other applicable requirements.
3. Obtain guidance on appropriation fund use from this handbook and the Director of Strategic Planning, Budget, and Accountability.
4. Obtain guidance on appropriation law and the use of Agency appropriations from this handbook and from the Director of Financial Policy.
5. Obtain guidance on budgetary processes from the Director of Strategic Planning, Budget and Accountability (SPBA).
6. Record the apportionments and allocations in the Agency core accounting system based on direction provided by SPBA including ensuring proprietary authority is available to support the obligation and expenditure of agency allocations.
7. Coordinate with other agency accounting, budget, and program staff to ensure current and complete status of funds availability to management and applicable staff in the Agency core accounting system.

04.1f - Director of Financial Policy

The Director of Financial Policy is the Agency's first point of contact regarding appropriations law. Therefore, it is the responsibility of the Director of Financial Policy to:

1. Provide agency guidance on appropriations law questions, including determining whether the Agency has the authority to spend resources on certain activities.
2. Coordinate with the Office of General Counsel regarding any unresolved appropriations law guidance issues for resolution.
3. Manage agency directives related to appropriations and appropriations fund use.
4. Work with the Director of SPBA to ensure the Financial Policy staff receives updated fund use information on new and/or changed funds in order to update appropriation manuals and handbooks.

04.1g - Director of Strategic Planning, Budget and Accountability (SPBA)

In addition to the responsibilities outlined in FSM 1930, it is the responsibility of the Director of SPBA to:

1. Develop and request apportionment authority from OMB through the Department's Office of Budget and Program Analysis.
2. Immediately, upon receipt of OMB's approved apportionment, generate documentation to support recording the following into the Agency core accounting system:
 - a. Apportionment levels as directed and required by OMB for the Agency to expend funds to accomplish its mission; and
 - b. Agency allocations of budget authority in accordance with apportionment received and in concert with OMB A-11, Section 150.
3. Ensure budget authority postings in the Agency core accounting system reflect approved apportionment and allocations levels, and direct adjustment as required.
4. Continually manage the Agency apportionment and allocation process to accomplish the Agency mission.
5. Provide guidance on budgetary processes and related topics.
6. Provide guidance on appropriations use and work with the Director of Financial Policy and impacted Deputy Chief(s) to update appropriations use guidance as necessary.

04.1h - Director of Financial Management Systems (FMS)

It is the responsibility of the Director of Financial Management Systems to provide the Director of Financial Policy with timely information on all new and changed funds, to ensure incorporation into the FSH 6509.11g (Service-wide Appropriations Use) Handbook.

04.1i - Washington Office, Staff Directors

1. Staff Directors. It is the responsibility of all Staff Directors to:
 - a. Ensure appropriated funds are used and controlled in compliance with legal requirements and agency policy.
 - b. Obtain guidance on Agency appropriations fund use from the FSH 6509.11g handbooks, and the Director of SPBA.
 - c. Obtain guidance on appropriations law from the FSH 6509.11g handbooks, the FSM 6510, and the Director of Financial Policy.
 - d. Ensure that appropriated funds expenditures are reasonable and necessary; and
 - e. Ensure that fund status is monitored continually to prevent deficit spending and possible Antideficiency Act (ADA) violations.

2. Director of Fire and Aviation Management. In addition to the responsibility described in paragraph 1, the Director of Fire and Aviation Management is responsible for activities related to the licensing of the Smokey Bear program.
3. Director of Conservation Education. In addition to the responsibility described in paragraph 1, the Director of Conservation Education is responsible for activities related to the licensing of the Woodsy Owl program.
4. Director of the Office of Communication. In addition to the responsibility described in paragraph 1, the Director of the Office of Communication is responsible for activities related to the licensing of the Forest Service Insignia (shield).
5. Director of Recreation, Heritage, and Volunteer Resources. In addition to the responsibility described in paragraph 1, the Director of Recreation, Heritage, and Volunteer Resources is responsible for activities and operations of the National Recreation Reservation Service (NRRS).
6. Director of Engineering, Technology and Geospatial Services. In addition to the responsibility described in paragraph 1, the Director of Engineering is responsible for activities related to:
 - a. The Environmental Compliance and Protection program, including the USDA Hazardous Materials Management Account, and
 - b. The programs funded by the Federal Highway Administration transfer appropriations.

04.2 - Regions, Forests, Stations, Research Work Units, International Institute of Tropical Forestry (IITF), Forest Products Laboratory, and Job Corps Centers

04.2a - Line Officers

All Line Officers are responsible for:

1. Ensuring that use and control of appropriations complies with legal requirements, allocations, Agency policy and annual direction.
2. Obtaining appropriation law guidance from the Agency's appropriations handbooks and manual, and the Director of Financial Policy.
3. Obtain guidance on appropriations use from the Agency's appropriations handbooks and manual and through the following channels, in order of precedence: the local Budget Officer of the Region, Station or Institute, and the Director of SPBA.
4. Collaborating on matters pertaining to the protection of experimental areas; and
5. Ensuring submission of claims documentation, in accordance with the requirements in FSM 6570 and FSH 6509.11h, chapter 30, to ensure due process of claims and

adjudication of related claims settlements. If the claims pertain to Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), or the Resource Conservation and Recovery Act (RCRA), contact the Director of Engineering for information about claim processing.

6. Adhering to the authority outlined in 5 U.S.C. 4503 and to establish procedures that comply with agency policy for providing refreshments and incurring certain other costs, at employee awards ceremonies.

04.2b - Staff Officers (Field)

This section applies to all Staff Officers in Field-based units:

1. Staff Officers. All Staff Officers are responsible for the following, within their purview:
 - a. Ensuring appropriation use and control are in compliance with legal requirements, such as appropriation law and statutory law, and agency policy (see sec. 6510.1 and 6511).
 - b. Ensuring that fund status is monitored continually to prevent deficit spending and possible ADA violations.
 - c. Obtaining appropriation law guidance from the Agency's appropriations handbooks and manual, and the Director of Financial Policy.
 - d. Obtain guidance on appropriations use from the Agency's appropriations handbooks and manual and the following channels, in order of precedence: the local Budget Officer, the Region, Station or Institute Budget Director, and SPBA.
2. Budget Directors. Budget Directors are responsible for providing Field Line Officers and staffs with budgetary assistance and advice on legal and policy guidelines for commonly established appropriation use and for obtaining clarification and further guidance from SPBA. Direct appropriations law questions to the Director of Financial Policy.

In addition to the responsibilities in FSM 6504 and FSM 6510.4, adhere to the following:

It is the responsibility of Line Officers to adhere to the authority outlined in 5 U.S.C. 4503 and Departmental Regulation 4040-430, and to establish procedures that comply with agency policy for providing refreshments and incurring certain other costs, at employee awards ceremonies.

04.3 - All Employees

It is the responsibility of all employees to budget, obligate, and expend appropriations and funds as outlined in the Office of Management and Budget (OMB) Circular No. A-11, standards and use guidelines, OMB apportionment directions, and related directions contained in applicable appropriations, the Agency and external directives. (see FSH 1909.13, ch. 30 and FSH 6509.11k,

ch. 50). This is to be done by expeditiously awarding contracts, settling reimbursable agreements, and conducting forest management activities. This responsibility applies to all employees who place accounting codes or approval signatures on financial documents, such as timesheets, travel vouchers, requisitions, or purchase card transactions; or to any employee with the authority to obligate and/or spend agency appropriated funds.

05 - Definitions

Allocation. The amount of obligational authority delegated from one agency, bureau, or account to another and set aside in a transfer appropriation account to carry out the purposes of the parent appropriation. (An allocation is often used within the Agency to indicate further delegation of obligational authority.)

Allotment. An authorization delegated by the head or other authorized employee of an agency to agency employees to incur obligations within a specified amount pursuant to OMB apportionment or reappportionment or other statutory authority making funds available for obligation.

Apportionment. A plan, approved by OMB, to spend resources provided by one of the annual appropriations acts, a supplemental appropriations act, a continuing resolution, or a permanent law (mandatory appropriations). Resources are apportioned by Treasury Appropriation Fund Symbol (TAFS). The apportionment identifies amounts available for obligation and expenditure. It specifies and limits the obligations that may be incurred, and expenditures made (or makes other limitations, as appropriate) for specified time periods, programs, activities, projects, objects, or any combination thereof. If authorized, an apportioned amount may be further subdivided by an Agency into allotments, sub-allotments, and allocations.

Appropriation. A provision of law (not necessarily in an appropriations act) authorizing the expenditure of funds for a given purpose. Usually, but not always, an appropriation provides budget authority

Appropriation - Annual (1 Year). Synonymous with the term "fiscal year appropriation" and available for new obligations only during the Federal fiscal year for which it is appropriated.

Appropriation - Multiyear. This class is available to obligate for a definite period of time in excess of one (1) Federal fiscal year. The unobligated balance at the end of the first fiscal year remains available until the end of the defined period of availability as stated in the appropriations act. It is important to note that all funding is approved by OMB on a fiscal year basis without regard to multi-year or no-year appropriation. Therefore, if funds have been appropriated for a fiscal year but not yet apportioned for that fiscal year, the funds are not available and may not be obligated because doing so may cause an Anti-deficiency Act violation.

Appropriation - Permanent. This class, by virtue of its authorizing legislation, is available for obligation without further Congressional action.

Appropriations Use. The term used to describe the direction and guidance associated with the determination of which funds/programs must or should be used to pay for certain activities. The determination is based on appropriations language, report language, floor and committee stations, and legal determinations.

Budget Justification. The detailed narrative of the Agency's budget request that is submitted to Congress as part of the President's annual budget request.

Budget Line Item. The budget activity level that is displayed in either the House or Senate Appropriation Committee report tables. Additionally, budget line items correspond to Forest Service's programs.

Expired Appropriation. An appropriation that is not available for obligation but remains available for a period of 5 years to pay current expenses which were previously obligated (31 U.S.C 1552-1553).

Fund. A fund is identified in the Agency core financial accounting system to represent the various types of budgetary resources within a Treasury Symbol and defined by statutory authority.

General Fund Receipt Accounts. This class of funds is for receipts that are not dedicated to specific purposes.

Program Direction. The annual operating direction and guidance for the current fiscal year. The Program Direction incorporates the Department's and Agency's mission priorities, such as those contained in the strategic plan, annual performance plans, budget justification, and Congressional direction and intent contained in the annual appropriations acts and accompanying congressional reports.

Reimbursable Authority. Statutory authority to incur obligations financed by offsetting collections credited to an expenditure account, in payment for goods and services provided by that account. Reimbursable authority is one type of budgetary resource for which OMB approves limited amounts for obligation over a specific length of time. Agencies are allowed to conduct reimbursable programs only when provided by law.

Reprogramming. The reallocation of funds from one budget line to another, or from one construction, land acquisition, or legacy project to another. It also includes any significant departure from Congressional direction, provided in the Committee Reports accompanying enacted Appropriations legislation, and departures for programs described in the budget justification. (See FSH 1909.13, ch. 30 for direction on reprogramming.)

Treasury Symbol. The alphanumeric symbol or code assigned by Treasury to an appropriation or fund, at the highest level of the appropriation's or fund's accounting hierarchy. Treasury's complete name for this symbol or code is, "Treasury Account Symbol," abbreviated TAS.

Unexpired Appropriation. An appropriation that is available for obligation.

06 - General Rules for Appropriation Use

Ensure appropriation rules are followed, including rules related to type of appropriation (such as, annual, multiyear, and no-year), and ensure funds are not obligated after they have expired.

Ensure that funds are tracked by fiscal year, budget line items, and Treasury accounts in accordance with OMB Circular No. A-11, Administration of Funds, and that planned expenditure of appropriated funds are authorized by law. Detailed descriptions of each program with instructions for using program funds are included in the chapters of this handbook.

1. Determine proper appropriation use by relying on the following sources:
 - a. The appropriations act or language from other statutory authority, only using the committee reports that support the Act to help clarify intent.
 - b. The Forest Service budget justification and program direction.
 - c. The Government Accountability Office (GAO) publication titled, Principles of Federal Appropriation Law, which is available on the web at: <http://www.gao.gov/legal/red-book/overview>.
 - d. The GAO Comptroller General Decisions which are available on the web at: <http://www.gao.gov/legal/appropriations-law-decisions>.
2. Justify the planned use of appropriations.
 - a. Unspecified expenses. When the budget justification includes an amount for a specific purpose and Congress appropriates the amount requested, the appropriation may be legally available for the expenditure even though the appropriation language does not specify or refer to that expense. However, the inclusion of an item of expense in the budget justification does not automatically make it available if the expense is not authorized or is otherwise prohibited by statute.
 - b. Specified expenses. Budget justification estimates are not legally binding unless specified in or referenced in the appropriation act itself (Comp. Gen. [B-217722](#), Mar. 15, 1985, and 55 Comp. Gen. 319, 325). This legal construction provides some flexibility when unforeseen developments, such as changes in requirements or operating conditions occur. However, to ensure a good working relationship with Congress, it is important that detailed budget justifications be followed as closely as possible. Failure to do so would cause Congress to lose confidence in the requests made and may result in reduced appropriations or line item appropriation. If it is necessary to deviate significantly from the budget justification estimates, work with your budget staff to follow reprogramming guidelines, including those provided by the House and Senate Appropriations Committees (see FSH 1909.13, sec. 36).

3. Analyze the intent of appropriations act. To analyze the intent of an appropriations act for uses not specifically covered in the language of the act, contact the Washington Office, Director of Strategic Planning, Budget and Accountability.

06.1 - Nominal Value Items for Dissemination of Program Information

Pursuant to 16 U.S.C. 556h, funds available to the Forest Service may be used to purchase non-monetary items of nominal value (not to exceed \$25 in value), to disseminate program information which promotes or further a Forest Service program, to private and public individuals, including Forest Service employees, and organizations. Non-monetary items of nominal value under this section may include, but are not limited to cups, key rings, pins, pens, pencils, hats, and T-shirts inscribed with the program identification that do not to exceed \$25 in value. The non-monetary items must serve to promote a Forest Service program but is not limited to national programs. For further guidance, see Comptroller General Decision [B-223608](#), dated December 19, 1988.

To avoid the appearance of impropriety and extravagance, Program Managers shall select items for meetings and conferences that serve basic agency needs. For example, provide tablets of writing paper for note taking, not a portfolio. Provide pocket folders or expandable wallet folders to secure handouts and other meeting materials, but not a backpack.

Forest Service authority for free distribution of promotional material does not extend to personal use or personal gift items. Each purchase of promotional material must qualify as a reasonable and necessary expense of the appropriation with which the purchase is financed. Therefore, the Forest Service must administratively limit the purchase and distribution of campaign materials that are intended for the broadest possible free distribution, to those with maximum educational and minimum monetary value. In accordance with this information, the following policies apply:

1. Limit the Purchase of Promotional Materials for Free Distribution. Limit the purchase of promotional materials for free distribution by the Agency to items and materials promoting the Agency or related agency programs, such as via posters, photographs, stickers, bookmarks, balloons, song sheets, coloring sheets, book covers, cloth shoulder patches, vinyl decals, and 12-inch wooden rulers. Purchase items intended for the broadest possible free distribution only if the items meet the test of maximum educational and minimum monetary value.
2. Grantees and Cooperators. Do not accept advertising or promotional expenditures of grantees and cooperators as qualifying expenditures for Federal cost-sharing purposes if those expenditures conflict with Forest Service policy. FSH 5109.18, chapter 20 provides guidance for cooperators and partners on how to use Smokey Bear promotion materials.

06.2 - Employee Appropriation Use

06.21 - Salary and Expenses

Salary and Expenses (S&E) Budget Line Items fund the salary and the expenses of employees supporting the activities funded by the respective appropriation accounts. These costs include the following categories:

1. Personnel salaries and benefits for all employment types (permanent, term, and temporary).
2. Expenses are defined as items funded by appropriated funds that support individual agency employees. These include, but are not limited to, overtime, pay differentials, lump sum leave, awards (cash and non-monetary), travel, training, uniforms, physicals, safety boot reimbursement, wellness reimbursement, transfer of station, incentives (recruitment, relocation, retention, and student loan repayment), misconduct investigations, background investigations, professional liability insurance, insurance claims, and indemnities.

Permanent Appropriations, Trust Funds, Reimbursable, Cost Recovery, and Transfer funds each have unique requirements and restrictions. Employees must appropriately charge these accounts for salary and other personnel expenses while performing the work associated with these funds.

Nursery, Aviation, and Fleet positions must charge salary and other personnel expenses to the Working Capital Fund as applicable for work performed to capture the accurate costs and maintain appropriate use rates.

Agency employees who have collateral incident support duties (non-WFSE funded employees) must charge directly to WFSU for all suppression salary when assigned to fire suppression duties and emergency stabilization activities. These employees may charge salary and travel to WFSU when attending fire related training.

Job Corps Employees are funded by the Department of Labor and will not charge S&E budget line items (BLI) unless performing work for the benefit of the Forest Service outside of their Job Corps position such as union representation.

All Office of Workers' Compensation Programs and Unemployment Compensation Insurance must be charged to the Forest Service Operations S&E line (FSSE), except Job Corps and Suppression-related, which must be charged directly to the respective program BLI.

Employees shall charge the appropriate S&E BLI based on the Human Resource (HR) organizational alignment of their position. For shared employees, the funding for these positions resides with the employee's home region/station/Washington Office staff.

The S&E budget line items cannot fund services, including non-Forest Service personnel, acquired through agreements or contracts. The funds needed for these agreements or contracts

must come from the discretionary program accounts, permanent appropriations, trust funds, reimbursable funds, or cost recovery funds.

06.22 - Nonmonetary Awards for Employees, Private Individuals, and Organizations

See USDA's direction, DR 4040-430, Employee Performance and Awards, for guidance on Nonmonetary Awards.

06.23 - Employee Award Ceremonies

See USDA's direction, DR 4040-430, Employee Performance and Awards, for guidance on Employee Award Ceremonies.

06.24 - Employees' State Licenses and Certification Fees

Under the following conditions, appropriations or funds available to the Forest Service may be used to reimburse employees for the cost of State licenses and certification fees (16 U.S.C. 556g):

1. The license and/or certification fee is required by State or Federal laws, regulations, or requirements.
2. The license and/or certification fee is necessary for certain employees to perform their jobs.

Some examples include license and/or certification fees related to sewer abatement facility operators, heavy-duty truck drivers, real estate appraisers, blasters, and surveyors. License and/or certification fees should be charged to S&E budget line items. This is not intended to cover regular State drivers' licenses.

06.25 - Employee Legal Fees

Appropriated program funds may be used to pay the reasonable cost of an employee's legal representation in administrative proceedings if the employee's conduct was within the scope of employment. For additional guidance, see Comptroller General Decision B-229052, dated October 28, 1987 (Comp. Gen. B-229052).

Enrollees in hosted programs such as Job Corps, Senior Community Service Employment Program and Youth Conservation Corps are considered employees only if the legislation governing the particular program expressly states that the enrollees are considered employees for purposes of coverage under the Federal Tort Claims Act. In addition, the payment of legal fees may be part of an official settlement of an employment-related complaint case such as Equal Employment Opportunity

06.26 - Federal Daycare Operations

Under Title 40, United States Code, section 490b (40 U.S.C. 590) appropriated funds may be used to pay for space in Federal buildings and services provided in connection with such space for daycare services for Federal employees. Authorized services include: lighting, heating, cooling, electricity, office furniture, office machines and equipment, telephone service, including installation of lines and equipment and other expenses associated with telephone service, and security systems, including installation and other expenses associated with security systems. Such space may be provided without charge for rent and services. If Forest Service units charge for the expenses, deposit payments collected for rent and services to the Miscellaneous Receipts Treasury Account.

Contract daycare providers and Federal employees whose duties include the provision of daycare services may be reimbursed for travel, transportation, and subsistence expenses when required to attend training classes, conferences, or other meetings related to the daycare services. Such travel must be in accordance with the Federal Travel Regulations (FSH 6509.33). For further guidance related to Forest Service childcare facilities and related costs, see FSM 6444.

In addition, Comptroller General's Decision B-256158, dated September 27, 1994 (Comp. Gen. B-256158), determined that consulting services, including travel, which are necessary to establish or maintain a childcare facility, are allowable expenses payable from Government appropriations.

Forest Service employee travel and training is charged to the appropriate S&E budget line item. Program funds will pay for the Contract daycare providers travel, training, and expenses. Consulting services will also be paid by program funds.

06.3 - Refreshments, Food, and Related Topics

Unless specifically authorized by statute, appropriated funds are not available to provide food to government employees at their official duty station. See the Government Accountability Office's publication Principles of Appropriations Law, Volume I, Chapter 4, Section 5.b. Employees are personally responsible for such expenses.

06.31 - Authorized Purchases of Refreshments and Food

06.31a - Travel Status

The Government may pay for the meals of civilian personnel in travel status (5 USC 5702).

06.31b - Conferences, Meetings, Training, and Other Gatherings

Use the criteria in FSM 1580.6, Identification and Use of Forest Service Instruments, to determine the method and type of document to use to procure or to pay for Forest Service participation in symposia, conferences, and workshops. The type of document used must be compatible with the appropriation intent.

Guidance documents lack the force and effect of law, unless expressly authorized by statute or incorporated into a contract. USDA may not cite, use, or rely on any guidance that is not available through their guidance portal, except to establish historical facts.

1. Conferences and Symposia. Food purchased with official funds and served at an employee's official duty station is generally not considered a necessary Government expense. However, if a meal is provided in connection with a business-related meeting or symposium (normally at a contract facility) and there is a charge for the meal, the cost may be considered necessary ([Comp. Gen. B-249249](#)). To qualify as a necessary expense, the meal must be an incidental part of the event, the purpose of the gathering must further the Agency's mission, attendance at the meal is necessary for full participation, and the employee is not free to take the meal elsewhere without being absent from essential formal discussions, lectures, or speeches concerning the purpose of the conference. These rules apply regardless of whether the conference takes place within the employee's duty station area or someplace else.

For meetings sponsored by non-Government organizations, the attendee will commonly be charged a fee, usually but not necessarily called a registration fee. If a single fee is charged covering both attendance and meals and no separate charge is made for meals, the Government may pay the full fee, assuming of course that funds are otherwise available for the cost of attendance (38 Comp. Gen. 134 (1958); [B-249351](#), May 11, 1993; [B-233807](#), Aug. 27, 1990; [B-66978](#), Aug. 25, 1947). The same is true for an evening social event where the cost is a mandatory non-separable element of the registration fee (66 Comp. Gen. 350, 1987).

2. Meetings. The rules set forth above do not apply to day-to-day routine agency-sponsored business meetings, described by the Government Accountability Office as meetings involving discussions of the internal procedures or operations of the Agency. Using meals as a convenience to conduct meetings does not qualify the meal cost as a necessary expense.

3. Training. Under the Government Employees Training Act (Training Act), Forest Service may pay, or reimburse an employee for, necessary expenses incident to an authorized training program (5 USC 4109). This applies whether the training is held through a non-Government facility or by the Federal Government itself. The event, however, must comply with the Training Act's definition of "training" in 5 USC 4101. As with meetings, an agency may pay for the costs of meals and refreshments when they are included as an incidental and non-separable portion of a training registration or attendance fee (66 Comp. Gen. 350, 1987; [B-288266](#), Jan. 27, 2003). If the cost of the food is not included in a registration or attendance fee, the Comptroller General has held that the Government can provide meals or refreshments under this authority if the Agency determines that providing meals or refreshments is necessary to achieve the objectives of the training program (48 Comp. Gen. 185, 1968; 39 Comp. Gen. 119, 1959; [B-247966](#), June 16, 1993; [B-244473](#), Jan. 13, 1992; [B-193955](#), Sept. 4, 1979). For example, providing refreshments at breaks may be permissible due to a lack of nearby commercial food options that might require participants to take longer breaks and make the training less efficient.

The Government may also furnish meals to non-Government speakers as an expense of conducting the training (48 Comp. Gen. 185).

- a. Refreshments include bottled water, coffee, soft drinks, and finger foods.
- b. The fact that an agency characterizes its meeting as “training” is not controlling. In other words, for purposes of authorizing the Government to feed participants, something does not become training simply because it is called training. A meeting consisting of little more than working sessions does not meet the Training Act’s definition of training.

06.31c - Food for Non–Federal Individuals

1. Gatherings (Meetings, Seminars, and so forth). Under 31 U.S.C. 1345, an agency may not use appropriated funds to provide food to non–Federal persons at any gathering, unless there is a statute or appropriation that specifically authorizes the expenditure (for example, food provided to individuals serving under invitational travel orders pursuant to the “invitational travel” statute, 5 U.S.C. 5703; food paid for out of an “official reception and representation” appropriation).

2. Work Projects Under an Agreement. All FSM 1580 agreements such as (but not limited to) cooperative, challenge cost share, and participation agreements may involve a partner’s work party composed of non–Federal participants. Challenge Cost Share partnerships may also involve form “OF–301a” documented sponsored volunteers.

- a. When these volunteers or participants are serving in remote areas where access to normal sources of food supplies and/or meals is not available or reasonably accessible (for example, camping out and performing maintenance on a national scenic or historic trail), the partner often provides subsistence to the work party. Forest Service has the authority to reimburse food expenses to our partners in such cases; the subsistence may be considered a supplies/materials cost to the Agency.

- b. When volunteers work on a project authorized under any FSM 1580 agreement that provides meals, the respective volunteer agreements must expressly state that subsistence reimbursements under any volunteer act are prohibited. This procedure is an internal control measure to avoid improper (duplicate) payments.

3. Traditional Ceremonies Such as Groundbreaking or New Building Dedication. Appropriated funds are not available to purchase food or refreshments for traditional ceremonies unless authorized by specific statute such as the Chief’s “official reception and representation” funds.

06.31d - Cultural Awareness Programs

Appropriated program funds are available for cultural demonstrations and to prepare and serve small samples of food during formal ethnic awareness programs as part of the Agency’s equal opportunity program (See GAO Red Book , Ch. 3, C.6.g.)

Use the program most closely aligned with the purpose of the demonstration to pay for its costs. If there is no clear alignment use Forest Service Operations, Operational Services.

06.31e - The Chief's Official Reception and Representation Expenses

Administrative Provisions for the Forest Service, in the Appropriation Act for the Department of the Interior, Environment, and related agencies, authorizes the Chief to spend a small amount of funds available to the Forest Service for official reception and representation expenses, each fiscal year. Allowable expenditures include food and drink, either as formal meals, snacks, or refreshments; receptions, banquets, and the like; live or recorded music, live artistic performances; and recreational facilities. Interagency working sessions or routine business meetings do not qualify as official receptions.

Although this authority confers considerable discretion on the types of expenses that may be incurred by the Chief, keep in mind two basic restrictions:

1. Only use the funds in connection with official Forest Service business, and
2. Use the funds in compliance with Federal regulations, including 41 CFR § 102-74.405 and [Departmental Regulation 1630-002](#), which prohibit the use or possession of alcoholic beverages on Government-owned or leased land without obtaining an exemption.

The Chief's official reception and entertainment allowance are the only official funds available to finance the purchase of gifts for dignitaries of foreign governments. Any gift costing \$305 or more must be approved by the Department of State (referred to often as State Department) before it is presented to any representative of a foreign government.

Use Forest Service Operations, Operational Services to pay for these expenses.

06.31f - Purchase of Bottled Drinking Water

The purchase of bottled water with appropriated funds is prohibited to the same extent as any other beverage, because drinking water is considered a personal expense. Only when an agency can document that potable water is not otherwise available may the agency use appropriated funds to buy bottled water. An example of such a situation might be employees working at a remote job site without any access to drinking water. *See Department of the Army-Use of Appropriations for Bottled Water*, B-310502 (Feb. 4, 2008). Another example might be an office building where the tap water supply has become contaminated and is unsafe to drink. *See* 18 Comp. Gen. 238 (Sept. 20, 1938). Again, the agency in that case must be able to document the safety hazard before buying bottled water with appropriated funds.

06.32 - Other Items

06.32a - Seasonal Decorations

Under the following conditions, Forest Service offices may use appropriated funds to purchase seasonal decorations when:

1. The decorations are for display in public areas (an entrance into a building, lobby, conference room, or other area that is deemed public by the Line Officer).
2. The decorations are not for private offices or for the personal convenience of an employee.
3. The decorations do not promote religious affiliations.

06.32b - Wellness and Fitness Programs

Appropriated funds may be used, when available, to establish and operate health promotion, disease prevention, and physical fitness programs to promote a healthy workforce. Before appropriated funds may be expended, the unit must have a wellness plan. Each wellness plan should analyze potential risks and benefits and spell out the policy of the unit regarding available equipment and facilities, personal fitness plans, and other pertinent issues regarding wellness.

06.32e - Recreation Facilities and Services for Employees

The Forest Service may provide minimum recreation facilities and opportunities for its employees consistent with the degree of isolation and permanence of the individual work centers and fire camps. Any appropriations and funds available to the Forest Service may be charged for this purpose, subject to Service-wide limitation of \$100,000 per fiscal year (16 U.S.C. 554d).

1. The \$100,000 annual limitation must be assigned to the Regions, Stations, International Institute of Tropical Forestry, Forest Products Laboratory, and Job Corps Centers in the annual program budget advice.
2. At temporary isolated work centers, tent camps, or fire camps, limit expenses to moderately priced recreational items such as:
 - a. Recreation equipment (such as softballs, volleyballs, badminton sets, and horseshoes).
 - b. Small games (such as chess and checkers, writing materials, selected books, and magazines).
 - c. Radios and television sets.
3. At permanent isolated work centers, limit expenses to appropriate items such as the following:
 - a. All of the items listed in paragraphs 1-3.
 - b. A modest combination of a tennis-volleyball-badminton-basketball court.
 - c. An improved softball field.

- d. Television antennas.
- e. Cable television subscription or satellite television system.

At permanent isolated work centers, and not subject to the Service-wide limitation of \$100,000 (16 U.S.C. 554d), other recreation and entertainment services and devices may be furnished as an amenity under the authority of the Facilities and Quarters Act (5 U.S.C. 5911). Television antennas, cable television subscriptions, and/or satellite systems at permanent locations, must be included in the quarters rental rate as established under OMB Circular A-45 and FSM 6445. Do not record such charges against the \$100,000 limitation pursuant to 16 U.S.C. 554d.

06.32f - Telephone Service and Tolls

Except as otherwise provided by law, appropriations are not available to pay for telephone service, installation, tolls, or other charges in any private residence or private apartment, except for long-distance telephone tolls required strictly for public business and included on vouchers approved by the head of the Department, division, bureau, or office of the official (31 U.S.C. 1348).

A Forest Service exception to this law is section 10 of the Granger-Thye Act, as amended (16 U.S.C. 580f). This act allows the use of appropriations to pay for telephone service installed in residences of employees; and of persons cooperating with the Forest Service, who reside within or near such land, when such installations are determined by the Secretary of Agriculture to be needed in protecting such lands. In addition to the service charge, only tolls or other charges strictly for the public business may be paid.

A Government-wide exception is in effect for telephone charges in connection with flexiplace telecommuting programs under 40 U.S.C. 587.

06.32g - Membership Fees and Dues

Appropriated funds may not be used to pay membership fees of an employee in a society or association. This does not apply if an appropriation is expressly available for that purpose, or if the fee is authorized under the Government Employees Training Act. Under the Training Act, membership fees may be paid if the fee is a necessary cost directly related to the training or condition precedent to undergoing the training (see 5 U.S.C. § 4109(b)). Agency memberships in a society or association may be paid for under certain conditions. For example, the general rule regarding membership fees is that an agency may use its appropriation to pay for an agency membership in a private association when the membership furthers the purpose of the appropriation and it would constitute a necessary expense. B- 305095 (2005 WL 3353909, at *2).

06.32h - Telephone Calling Card

Commercial telephone calling cards or other commercial pre-paid debit cards or telephone service for long distance service is not an authorized expense or use of agency funds.

06.32i - Business Cards

Subject to approval by the local fund manager, official funds may be used to purchase business cards for employees whose jobs involve frequent travel or Forest Service representation in meetings with other agencies and outside organizations.

06.32j - Professional Liability Insurance

See FSH 6109.12, chapter 70 for guidance on professional liability insurance.

06.32k - Employee Association Activities and Charitable Fund Drives

In accordance with 41 CFR 102-74.410, all persons entering or on Federal property are prohibited from soliciting money and non-monetary items, or commercial or political donations, vending merchandise of all kinds, displaying or distributing commercial advertising, or collecting private debts, except for the following:

1. National or local drives for funds for welfare, health, or other purposes as authorized by 5 CFR part 950, entitled, “Solicitation of Federal Civilian and Uniformed Service Personnel for Contributions to Private Voluntary Organizations,” and sponsored or approved by the occupant agencies;
2. Concessions or personal notices posted by employees on authorized bulletin boards;
3. Solicitation of labor organization membership or dues authorized by occupant agencies under the Civil Service Reform Act of 1978 (Public L. 95-454);
4. Lessee, or its agents and employees, with respect to space leased for commercial, cultural, education, or recreational use under 40 U.S.C. 581(h). Public areas of GSA-controlled property may be used for other activities.
5. Collection of non-monetary items that are sponsored or approved by the occupant agencies; and
6. Commercial activities sponsored by recognized Federal employee associations and on-site childcare centers.

06.32l - Purchasing Permits When Required by Statute for Forest Service Activities

Appropriations available to the Forest Service, including transfer appropriations, may be used for purchasing permits when other governing bodies are authorized by statute to have preemptive jurisdiction over the permitted activity. For example, the Clean Water Act of 1977 (33 U.S.C. 1323) requires that Federal agencies having jurisdiction over any property or facility or engaging in any activity that results, or may result in the discharge or runoff of pollutants must be subject to and must comply with all Federal, State, interstate, and local requirements, and administrative authorities, concerning the control and abatement of water pollution to the same extent as any non-governmental entity; this requirement includes the payment of customary service charges.

06.32m - Emergency Operations

1. Wildland Fire. Reciprocal agreements with any fire organization maintaining wildland fire protection facilities near National Forest System property for mutual aid may be executed. These agreements must include a waiver by each party of all claims against the other party for compensation for any loss, damage, personal injury, or death occurring as a consequence of the performance of such agreement.

Agreements may provide for reimbursement to any party for all or any part of the costs incurred. Without any agreement, emergency assistance may be rendered to extinguish fires and preserve life and property within the vicinity of the fire only when it is in the interest of the Government, in conjunction with the Reciprocal Fire Protection Agreement Authority (42 U.S.C. 1856).

2. Flood, Fire, or Other Natural Occurrence. Emergency assistance to landowners and land users to retard runoff and prevent soil erosion are authorized, when necessary to safeguard lives and property from flood, drought, and the product of erosion on any watershed; whenever fire, flood, or any natural occurrence is causing or has caused a sudden impairment of that watershed (16 U.S.C. 2203).

3. Federal Agency Request. When requests are rendered from another Federal agency, an interagency agreement with the responsible Federal agency identifying funding, and action to be taken by each agency, must be confirmed in writing (FSM 1585.12a). The Forest Service may perform whatever assistance it is equipped to render, under its authority, regardless of location, using funds advanced, or reimbursed under the Economy Act of 1932, as amended (31 U.S.C. 1535).

4. Federal Highway Administration, Emergency Relief Program. Funds authorized by Title 23, United States Code, section 125(c), when transferred to the Forest Service, are available to repair seriously damaged National Forest System roads and trails. These damages must have resulted from a natural disaster (FSM 1535.12 and FSM 7710).

5. Federal Emergency Response. The use of Forest Service personnel and equipment is authorized to protect life and property and to relieve suffering and distress arising from floods, hurricanes, tornadoes, earthquakes, fires, snowstorms, or other USDA or federally declared disasters or emergencies. See 42 U.S.C. 5121 et seq., The Robert T. Stafford Disaster Relief and Emergency Assistance Act, regarding emergencies declared by the President; see 7 U.S.C. 8306, The Animal Health Protection Act, regarding emergencies determined by the USDA Secretary.

06.32n - Relocation Expenses of Displaced Persons

Use the same appropriation(s) that were used to acquire the real property, whether the acreage was acquired for a Federal program or a federally assisted program, to pay the relocation expenses of displaced persons, businesses, or farm operations as authorized by Title 42, United States Code, sections 4601- 4655 (42 U.S.C. 4601-4655).

06.32o - Search and Rescue Operations

The payment of necessary expenses incurred in emergency search and rescue operations on National Forest System lands is authorized by Title 16, United States Code, section 575 (16 U.S.C. 575). The legislative history of this authority (Act of May 27, 1930) indicates that payment is anticipated from "regularly appropriated moneys"; which is interpreted to mean appropriations for the general operation and management of the National Forest System. Do not conduct rescue operations outside the external boundaries of National Forest System lands except when the search begins within these boundaries and continues into contiguous areas, and the urgency of the situation demands that the search be continued beyond the boundary.

Charge expenses incurred to search for lost persons, aircraft rescue missions, and first aid to ill or injured persons as follows:

1. Forest Service Employees, Volunteers, or Enrollees. Charge the cost of search and rescue efforts of Forest Service employees, volunteers, or enrollees, while engaged in official activities, to the same program funds that financed the project on which the lost or injured person was working.
2. Public Persons. The cost of search and rescue efforts for the benefit of public persons is comprised mainly of salaries for members of the search party. Charge the costs as follows:
 - a. The salary of the searcher is charged to the appropriated S&E budget line item based on the Human Resource (HR) organizational alignment of their position.
 - b. If the searcher is a Forest Service Volunteer with a duly signed Volunteer Agreement, use the same program code for search and rescue expenses that is used for the searcher's volunteer expenses.

Accept voluntary donations made by private parties to pay for all or part of the search and rescue expenses and deposit the funds into Gifts and Bequests (fund and program code GBGB). If a reimbursable agreement is executed, then collections are recorded as a reimbursement to the appropriation charged under authority of section 5 of the Granger-Thye Act, as amended (16 U.S.C. 572).

06.32p - Snow Removal

Use appropriations use guidance to determine the appropriate program to finance snow removal from system roads or trails on National Forest System lands. Forest Service employees performing snow removal should charge the appropriate S&E budget line item according to the HR organization alignment of their position.

06.32q - State and Local Taxes

The doctrine of sovereign immunity and the Supremacy Clause of the Constitution (U.S. Constitution, Article VI, clause 2) prohibit States from taxing the Federal government or its

Guidance documents lack the force and effect of law, unless expressly authorized by statute or incorporated into a contract. USDA may not cite, use, or rely on any guidance that is not available through their guidance portal, except to establish historical facts.

activities (*McCulloch vs. Maryland*, 17 U.S. (4 Wheat.) 316 (1819)). The Supreme Court’s early interpretation was aimed at the preservation of the Federal system (Government Accountability Office’s publication, “Principles of Federal Appropriations Law”, Volume I, Chapter 4, sec. 15a).

In the simplest situation, Federal tax immunity applies to attempts to tax directly the property or activities of a Federal department or agency. Evidence of tax-exempt status because of the Federal Government’s immunity may take various forms, depending on the circumstances. For example, use of a government credit card or purchase order identifies the purchaser as an agent, agency, or instrumentality of the United States. Other forms are listed in the Federal Acquisition Regulation (FAR), Title 48, Code of Federal Regulations, section 29.305. Many taxing authorities have their own forms for claiming tax exempt status. When other evidence is not available or is inapplicable, immunity is often established by use of a “tax exemption certificate” such as Standard Form 1094, “*U.S. Tax Exemption Certificate*”, which is usually processed individually. Use of Standard Form 1094 is prescribed by and illustrated in the FAR (48 CFR 29.302(b), 53.229, and 53.301-1094). An essential element for Forest Service offices to claim tax exempt status is the Forest Service’s employer identification number, provided in exhibit 01, as follows:

06.42r – Exhibit 01

Forest Service’s Employer Identification Number

**Forest Service’s employer identification number
is required on all claims for tax exempt status
72-0564834**

In some jurisdictions, tax exempt status can be established by providing a “tax-exempt number” obtained from the taxing authority. Where this procedure exists, it is governed by state regulation. Where available, this can be a simple and cost-effective way of invoking the Government’s tax immunity in situations where the amounts involved do not justify obtaining an official tax exemption certificate.

State taxation issues center on three distinct types of taxing schemes, as follows:

1. Taxes linked to business transactions involving the Federal Government, typically sales and use taxes.
2. State and local taxes frequently encountered by Federal Government employees while performing government business, and
3. Property-oriented taxes linked to ownership or use of various types of real and personal property located within a State’s geographical boundaries.
 - a. The U.S. Supreme Court has held that the imposition of a possessory use tax on the occupancy rights of a tenant occupying government-furnished housing (GFH) is a valid exercise of the taxing power of a state and its political subdivisions (United States v. County of San Diego, 965 F.2d 691 (9th Cir. 1992)). The rent levels set for GFH are based on a survey of rents charged for open market rental properties. Rent for private property includes an amount to cover the private landlord’s property taxes. Under OMB Circular A-45, the real property tax paid by a private landlord is represented by a portion of the monthly contract rent. Since the private landlord’s property tax charge is not excluded from the contract rent in determining the base rental rate for comparability purposes, the GFH rental charge already reflects the real estate tax for comparable private rental property. The occupant of Forest Service GFH pays rent into the Quarters Maintenance Fund, and a portion of each payment is for property taxes. When the employee pays the possessory use tax to the taxing authority and requests a refund, Forest Service refunds the possessory use tax from the Quarters Maintenance Fund (FSH 6509.11k, ch. 40).
 - b. Possessory use taxes charged by a taxing authority to Forest Service permittees (for example, recreation residence permit holders) are the permittees’ personal expense. Forest Service provides a list of permittees to the taxing authority when requested, but that is the full extent of the Agency’s involvement in the matter.

These 3 types of taxing schemes are the subject of additional detailed guidance set forth in the Government Accountability Office’s publication, “*Principles of Appropriations Law*”, Volume I, Chapter 4, sec. 15a, available on the following website: <https://www.gao.gov/legal/appropriations-law/red-book>

06.32r - Investments in Treasury Securities

The U.S. Department of Treasury is responsible for keeping Federal monies invested in marketable securities of the Federal Government so that interest income is earned for the benefit of the Federal Government as a whole. The Treasury’s Bureau of Public Debt has sole responsibility for these investments; it borrows the money needed to operate the Federal Government and it administers the public debt by issuing and servicing U.S. Treasury marketable, savings and special securities. More information about the Bureau of Public Debt is available on the following website: <http://www.publicdebt.treas.gov/>.

In a few cases, however, the Congress enacts legislation that explicitly gives investment authority to Federal departments and/or agencies, limiting investments to Federal Government marketable securities. When a Federal department or agency has investment authority, they are allowed to do the following:

1. Obtain access to the Treasury’s Bureau of Public Debt, Federal Investment Program’s computer system (website: <http://www.treasurydirect.gov/govt/govt.htm>) in order to conduct investment transactions.
2. Determine the amount of money in the Treasury account that is not needed for current obligations. This is the amount available for investment.
3. Make the investment by contacting the Treasury’s Bureau of Public Debt, Federal Investments Program ([website http://www.treasurydirect.gov/govt/govt.htm](http://www.treasurydirect.gov/govt/govt.htm)), and doing the following:
 - a. Select the amount and term of the investment needed,
 - b. Provide the accounting information for the monies being invested, and
 - c. Record the purchase of the investment in the accounting system.
4. Record the interest income when the investment matures, crediting the same Treasury account that purchased the investment securities.
5. Use the money for obligations as defined in the legislative authority.

06.33 - Specific Appropriation Use

06.33a - Specific Versus General Appropriation

A budget line item (BLI) for a specific purpose typically precludes the use of any other BLI.

This rule also applies to statutory and administrative appropriation limitations, budget activities,

and specified projects. When the specific BLI is exhausted, it cannot be augmented with payments from a general BLI. For example, within the Capital Improvement appropriation, when building a new dispatch center charge the construction work to Facility Improvement program code (specific), not Wildland Fire program code (general).

06.33b - Two or More Specific Program Codes

While a specific program code typically excludes the use of other program codes for the same work (6511.21), when there are two or more specific program codes, each applicable to the same work, they are to be considered cumulative to the same work. For example, both Salvage Sales and Forest Products are available to prepare and administer salvage timber sales. However, only the Forest Products program code is available for regular timber sales.

06.33c - Work Financing Principle

Finance resource work to achieve ecological restoration, integrating programs to include components of cross-Deputy Area programs in accordance with Appropriations Law. Take a holistic approach to all management activities to leverage funds and work effectively at a landscape scale.

The Work Financing Principle maximizes the use of agency funds in accordance with appropriations law that allows for more effective and efficient delivery of integrated programs and projects at landscape levels. This approach ensures the ability to address the health and sustainability of National forests and grasslands.

Focusing on the landscape scale resource accomplishments to be achieved, select fund(s) and program(s) to finance resource work by following direction in the respective fiscal year appropriations act (or continuing resolution or supplemental appropriation act), and guidance in the Program Direction and Budget Justification. The emphasis is on achieving ecological restoration and integrating programs through collaboration and partnerships. It is the responsibility of national, regional, and forest leadership to develop integrated programs and projects.

Units should develop their program of work using the Work Financing Principle, plan their budget to fund this program of work appropriately, and then communicate plans and expectations to employees. By being proactive to maximize the Agency's allocations in accordance with appropriations law to their greatest benefit, the Forest Service budget community can provide critical oversight to ensure that integrity is built into the process and to help the Agency to be more effective in the delivery of mission activities and programs.

07 - Work Planning

Prepare a basic annual work plan identifying funds to be used and outputs to be accomplished, including the primary information necessary to confirm the use of the funds satisfies Congressional intent for the appropriation or fund. Operating plans may be used to supplement the annual work plans.

For additional information, see the Managing for Results website for Work Plan detailed guidance and use, <http://fsweb.wo.fs.fed.us/results/>.

08 - Financial Controls

All employees shall comply with all financial controls. (See FSH 6509.11k Chapter 50)

08.1 - Appropriation and Fund Requirements

Appropriation and apportionment availability and fund allocation are prerequisites of obligations. Incur no obligation unless:

1. The appropriation or fund to be used is available for the purpose and time;
2. The related apportionment (spending authority) has been obtained from the Office of Management and Budget; and
3. The funds have been formally authorized and allocated in the Agency's core accounting system, for current year use.

Employees shall comply with financial controls established in FSH 1909.13, chapter 30, Budget Execution, and FSH 6509.11k, chapter 50.

08.2 - Expenditure Adjustments between Units

Ensure that all expenditure adjustments between Forest Service accounting units are authorized, documented, and justified before processing the adjustments in the Agency's core accounting system. As deemed necessary to ensure the integrity of the Agency's fund management, there should be communication between Budget and Finance and the Budget community, including SPBA, to clarify expenditure adjustments before processing.