

U.S. NUCLEAR REGULATORY COMMISSION MANAGEMENT DIRECTIVE (MD)

MD 5.4	OFFICIAL REPRESENTATION EXPENSES	DT-23-22
<i>Volume 5</i>	Governmental Relations and Public Affairs	
<i>Approved By:</i>	Christopher T. Hanson, Chair	
<i>Date Approved:</i>	October 2, 2023	
<i>Cert. Date:</i>	N/A, for the latest version of any NRC directive or handbook, see the online MD Catalog .	
<i>Issuing Office:</i>	Office of International Programs International Operations Branch	
<i>Contact Name:</i>	Robin K. Barnes	
<p>EXECUTIVE SUMMARY</p> <p>Management Directive 5.4, "Official Representation Expenses," is revised to update organizational changes and authorities and to reflect changes to procedures to manage the Commission's Representation Fund more effectively. This revision changes reporting requirement from quarterly to annually and changes funding request notification from 1 to 2 weeks.</p> <p>In addition, the NRC has revised this management directive as part of its efforts to use more inclusive language in its publications. These changes, which include changing "Chairman" to "Chair" in some instances, are purely editorial and do not affect the meaning of the guidance in this document.</p>		

TABLE OF CONTENTS

I. POLICY	2
II. OBJECTIVES	2
III. ORGANIZATIONAL RESPONSIBILITIES AND DELEGATIONS OF AUTHORITY	2
A. Chair.....	2
B. Commission; Executive Director for Operations (EDO), Deputy Executive Directors for Operations, Office Directors, and Regional Administrators	2
C. Director, Office of International Programs (OIP).....	3
D. Designee of the Director, OIP.....	3
E. Director of Protocol, Office of Congressional Affairs (OCA)	4

For updates or revisions to policies contained in this MD that were issued after the MD was signed, please see the Yellow Announcement to Management Directive index ([YA-to-MD index](#)).

F. Chief Financial Officer (CFO).....	4
G. Budget Director, Division of Budget (DOB), OCFO.....	4
H. Division of the Comptroller (DOC), OCFO.....	4
I. Central Allowance Branch (CAB), DOC, OCFO.....	4
J. Financial Services and Operations Branch (FSOB), DOC, OCFO.....	4
IV. APPLICABILITY.....	5
V. DIRECTIVE HANDBOOK.....	5
VI. REFERENCES.....	5

I. POLICY

It is the policy of the U.S. Nuclear Regulatory Commission (NRC) that funds appropriated to the NRC by Congress for official representation expenses be administered in accordance with the criteria, responsibilities, and procedures specified in Management Directive (MD) 5.4, "Official Representation Expenses." Official Representation Funds (ORFs) may be used to host official receptions, dinners, and other protocol functions, for which the NRC is the sponsor, to maintain the standing and prestige of the United States by extending official courtesies to certain authorized guests.

II. OBJECTIVES

Ensure that funds annually appropriated to the NRC by Congress for official representation expenses are used only in connection with enabling the agency to extend official courtesies and to maintain the standing and prestige of the United States Government (USG).

III. ORGANIZATIONAL RESPONSIBILITIES AND DELEGATIONS OF AUTHORITY

A. Chair

Approves official representation activities and expenditures of funds like those noted in Section III.F.1 of the handbook to this directive.

B. Commission; Executive Director for Operations (EDO), Deputy Executive Directors for Operations, Office Directors, and Regional Administrators

1. After determining that the official representation is necessary and complies with the policies and criteria described in MD 5.4, notify the Office of International Programs' (OIP) designee of the function at least 2 weeks before the expenditure of ORF funds and provide sufficient information for the completion of NRC Form 29, "Miscellaneous Commitment Document," or NRC Form 30, "Request for Administrative Services," as applicable, and which are available in the NRC Forms Library. The NRC Form 30, "Request for Administrative Services," is used exclusively

- for services and/or supplies being paid for using the OIP designee's Government purchase card. All other ORF requests are processed using NRC Form 29.
2. May not incur obligations that exceed the amount certified on the approved form without a revised funds certification and approval in advance. Refer to Section VI.D.1 of the Handbook 4.2, "Administrative Control of Funds," for exceptions. If the requester determines expenses may exceed the approved amount, they must immediately notify the OIP designee who prepares and submits a revised request form to the Office of the Chief Financial Officer (OCFO) to obligate enough additional ORFs to cover the additional expenses.
 3. After completion of the function, the requester must submit original bills or receipts for payment of expenditures to OIP's designee for review and approval. If major changes to the original authorization have occurred (i.e., an increase in cost over the previously authorized maximum dollar amount on the NRC Form 29 or 30, as applicable), these adjustments must first be reviewed by OIP and then approved by OCFO. These adjustments must be explained in detail on a page attached to the voucher and receipts before payment can be processed by OCFO.

C. Director, Office of International Programs (OIP)

1. Oversees administration of the appropriated funds for official international representation expenses as described in MD 9.14, "Organization and Functions, Office of International Programs." Manages the funds appropriated for official representation expenses.
2. Authorizes all official representation functions in advance.
3. Approves prescribed dollar limits for all official representation items of chargeable expense specified in Section III of the handbook to this directive.
4. Approves NRC employees' attendance at official representation events.

D. Designee of the Director, OIP

1. Reviews expenditures for all official representation functions and purchases for compliance with the policies and criteria described in MD 5.4.
2. Approves and submits completed NRC Form 29 or 30, as applicable, to the Central Allowance Branch (CAB), Division of the Comptroller (DOC), OCFO for certification of funds.
3. Prepares and submits to the Director, OIP, an annual expense report as outlined in Section V of the handbook to this directive.
4. In coordination with OCFO, recommends to the Director, OIP, any limits required for various types of official representation expenses.

E. Director of Protocol, Office of Congressional Affairs (OCA)

1. Obtains approval from OIP's designee before purchasing mementos.
2. Purchases mementos on behalf of the Commission for Commissioners' use at official events after OIP requests and receives funds certified by OCFO.
3. Serves as custodian of the stock of NRC mementos, purchases suitable mementos for presentation to foreign dignitaries, and maintains a record of all mementos purchased and presented.

F. Chief Financial Officer (CFO)

Issues allotments for NRC's appropriations.

G. Budget Director, Division of Budget (DOB), OCFO

1. Serves as the allottee for the NRC.
2. Issues allocations to the NRC Central Allowance under which OIP funds are provided for official representation activities.

H. Division of the Comptroller (DOC), OCFO

1. Serves as the allowance holder for the NRC Central Allowance under which OIP ORFs are provided.
2. Records obligations in the official agency accounting system for authorized official representation expenses.
3. Maintains the official obligation and expenditure records for ORFs.

I. Central Allowance Branch (CAB), DOC, OCFO

1. Performs periodic reviews, in conjunction with OIP's designee, of the official representation process to ensure compliance with the policies described in MD 5.4.
2. Certifies the availability of funds for official representation activities.
3. Maintains a record of commitments and obligations of funds.

J. Financial Services and Operations Branch (FSOB), DOC, OCFO

Processes requests using Standard Form (SF)-1034, "Public Voucher for Purchases and Services Other Than Personal," (available in the General Services Administration Forms Library at <https://www.gsa.gov/forms>) filed for reimbursement of approved expenses incurred for authorized official representation functions. Alternatively, an office can send an SF-1034 directly to NRC@fiscal.treasury.gov for processing or request OIP's designee to process the request on behalf of agency staff.

IV. APPLICABILITY

All NRC employees must follow the policy and guidance listed in MD 5.4.

V. DIRECTIVE HANDBOOK

General instructions and detailed guidelines relating to the allotment of funds and the approval, authorization, and criteria for functions, vouchers, reporting, and written justifications listed in this MD are contained in its handbook.

VI. REFERENCES

Nuclear Regulatory Commission Documents

Management Directives—

4.2, “Administrative Control of Funds.”

9.14, “Organization and Functions, Office of International Programs.”

11.1, “NRC Acquisition of Supplies and Services.”

NRC Forms Library on SharePoint, at

<https://usnrc.sharepoint.com/teams/NRC-Forms-Library/SitePages/Home.aspx>.

Other Documents

Title 48 of the *Code of Federal Regulations*, Federal Acquisition Regulations System—

Part 13, “Simplified Acquisition Procedures.”

Part 29, “Taxes.”

General Services Administration (GSA) Forms Library, at

<http://www.gsa.gov/reference/forms>.

Principles of Federal Appropriations Law, Fourth Edition, Chapter 3, 2017 Revision (GAO-17-797SP).

U.S. NUCLEAR REGULATORY COMMISSION DIRECTIVE HANDBOOK (DH)

DH 5.4	OFFICIAL REPRESENTATION EXPENSES	DT-23-22
<i>Volume 5</i>	Governmental Relations and Public Affairs	
<i>Approved By:</i>	Christopher T. Hanson, Chair	
<i>Date Approved:</i>	October 2, 2023	
<i>Cert. Date:</i>	N/A, for the latest version of any NRC directive or handbook, see the online MD Catalog .	
<i>Issuing Office:</i>	Office of International Programs International Operations Branch	
<i>Contact Name:</i>	Robin K. Barnes	
EXECUTIVE SUMMARY		
<p>Management Directive 5.4, "Official Representation Expenses," is revised to update organizational changes and authorities and to reflect changes to procedures to manage the Commission's Representation Fund more effectively. This revision changes reporting requirement from quarterly to annually and changes funding request notification from 1 to 2 weeks.</p> <p>In addition, the NRC has revised this management directive as part of its efforts to use more inclusive language in its publications. These changes, which include changing "Chairman" to "Chair" in some instances, are purely editorial and do not affect the meaning of the guidance in this document.</p>		

TABLE OF CONTENTS

I.	ALLOTMENT OF FUNDS.....	2
	A. Official Designated to Manage the NRC's Official Representation Funds.....	2
	B. Issuing of Allowance.....	2
II.	APPROVAL AND AUTHORIZATION OF OFFICIAL REPRESENTATION EXPENSES.....	3
	A. Requests for Authorization	3
	B. Review of Requests	3
	C. Authorization of Requests	4
	D. Funds Certification	4

For updates or revisions to policies contained in this MD that were issued after the MD was signed, please see the Yellow Announcement to Management Directive index ([YA-to-MD index](#)).

E. Variance from Established Procedures	4
III. CRITERIA UNDER WHICH EXPENSES MAY BE CHARGED	4
A. General Criteria Governing NRC Official Representation	4
B. Representation of a Personal Nature	6
C. Nature of the Representation	6
D. Official Hosts	6
E. Scale of Representation	7
F. Items of Chargeable Expense	7
G. Items of Expense Not Chargeable	8
H. Prescribed Limits.....	8
I. Participation by NRC Employees	8
IV. PROCEDURE TO DOCUMENT EXPENSES	9
V. FREQUENCY AND FORMAT OF REPORTS.....	9

I. ALLOTMENT OF FUNDS

A. Official Designated to Manage the NRC's Official Representation Funds

The Director, Office of International Programs (OIP) manages U.S. Nuclear Regulatory Commission (NRC) funds that cover all official representation expenses.

B. Issuing of Allowance

1. Upon passage into law of the NRC's annual Appropriations Act and apportionment of these funds by the Office of Management and Budget (OMB) and allotment of funds by OCFO, the Director, Division of Budget (DOB), Office of the Chief Financial Officer (OCFO), allocates funds for official representation to the Comptroller, Division of the Comptroller (DOC), OCFO, as the allowance holder of the Central Allowance Branch (CAB/DOC/OCFO) under which OIP is provided funds for official representation activities.
2. If the NRC must operate under a continuing resolution (because the Appropriations Act was not enacted before the start of the fiscal year (FY)), an allotment and allowance for official representation funds (ORFs) may be issued consistent with guidance in the continuing resolution.

II. APPROVAL AND AUTHORIZATION OF OFFICIAL REPRESENTATION EXPENSES

A. Requests for Authorization

1. Requests for authorization must be made by the Chair; a Commissioner; the Executive Director for Operations (EDO); a Deputy Executive Director; an office director (OD); a regional administrator (RA); the director (or designee) of the office proposing the official representation function or, as applicable, a higher official; or the Director, OIP.
2. All ORF requests require the completion of, and digital approvals on, the OIP “ORF Questionnaire for Desk Officers” template. The template is provided to the requester by OIP’s designee. Questions include, but are not limited to—
 - (a) Requester’s Name/Office,
 - (b) Date and Place of Event,
 - (c) Type of Event (Dinner/Luncheon/Light Refreshments, Signing Ceremony, etc.),
 - (d) Estimated Dollar Amount,
 - (e) Form of Payment (OIP Designee’s Purchase Card or Staff Reimbursement),
 - (f) Hosting Office,
 - (g) Names/Titles of Honored Guests,
 - (h) Number of NRC participants,
 - (i) Menu Preferences/Special Dietary Concerns,
 - (j) Wine/Champagne Needed, and
 - (k) Mementos Needed.
3. OIP will prepare and submit formal requests using the appropriate commitment request form; NRC form 29, “Miscellaneous Commitment Document” for any commitments or NRC Form 30, “Request for Administrative Services,” only for those transactions requiring the use of a Purchase Card. Both forms are available in the NRC Forms Library.

B. Review of Requests

OIP’s designee will review all requests for official representation functions for adequacy and compliance with policy and regulations and prepare the appropriate commitment request form.

C. Authorization of Requests

1. The Director of OIP, or their designee, will authorize all official representation functions in advance, sign as authorizing official on the commitment request form, and return the form to the appointed designee.
2. The Director of OIP, or designee, will stipulate conditional changes, if any, on the original and on all copies of the commitment request form.

D. Funds Certification

The funds certifying official (FCO) will certify in advance that funds are available for official representation expenses.

E. Variance from Established Procedures

Although the advance planning usually inherent in representation functions should allow the procedures listed in Sections II.A through D of this handbook to be followed, emergency cases arising from unforeseen circumstances may make it necessary to bypass advance submission of a commitment request form. In these cases, the request, authorization, and certification of funds must be formalized within 2 working days after the official representation function. By completing the commitment form, OIP establishes a written record of the request and approval and sets forth the circumstances that prevented the advance planning. A function must not proceed without verbal certification of availability of funds from the designated FCO in OCFO, and verbal authorization from the Director of OIP.

III. CRITERIA UNDER WHICH EXPENSES MAY BE CHARGED**A. General Criteria Governing NRC Official Representation**

1. Congress annually appropriates funds to the NRC for official representation expenses and establishes a dollar limit on the amount of these expenses. No other funds are available for this purpose. These expenditures must be accounted for and charged to the official representation allowance that has been established for this purpose.
2. ORFs may be used to host official receptions, dinners, and other similar protocol functions for which the NRC is the sponsor, to maintain the standing and prestige of the United States by extending official courtesies to certain authorized guests.
3. Generally, such events are hosted events and official courtesies are extended for specified categories of potential guests, including—
 - (a) Dignitaries and officials of foreign governments, whether hosted in the United States or at meetings abroad by NRC staff who have been authorized to serve as official hosts.

- (b) Senior U.S. Government (USG) officials, including members of Congress or their professional staff.
 - (c) Dignitaries, senior officials, and members of the professional staff of State, local, and Tribal governments.
 - (d) Distinguished and prominent U.S. citizens, including events such as receptions for incoming or departing Commissioners or former officials of the NRC who have made a substantial contribution to the United States or the NRC. On occasion, an official function may be hosted for a private citizen of a foreign nation whose rank, position, function, or stature warrants the extension of official courtesies by the USG and the NRC.
 - (e) Foreign dignitaries hosting high-level NRC officials during their official visits to foreign countries.
 - (f) Important officials of State and local governments in connection with their participation in special events, such as dedications, pertaining to the mission of the NRC.
 - (g) High-level domestic officials (from fields such as government, education, and industry) at special functions hosted by one or more Commissioners.
4. ORFs may be used in support of the following recurring events, as long as the expenditures are aligned with the general criteria governing the usage of official representation funds:
- (a) International Atomic Energy Agency (IAEA) General Conference (GC),
 - (b) Regulatory Information Conference (RIC),
 - (c) International Nuclear Regulators Association (INRA),
 - (d) Integrated Regulatory Review Service (IRRS),
 - (e) International Physical Protection Advisory Service (IPPAS),
 - (f) High-level bilateral meetings (e.g., Steering Committee meetings), and
 - (g) Other international peer review missions, as needed.
5. Official functions hosted by high-level agency officials (or their designees) may include a mix of ceremonial or social components (including holiday events), provided that the function is for the primary purpose of maintaining or enhancing the standing and prestige or furthering the policies and objectives of the NRC.

B. Representation of a Personal Nature

1. Requests for ORFs must not be authorized when the activity is solely of a private, personal nature or is not for the purpose of maintaining or enhancing the standing and prestige or furthering the policies and objectives of the NRC.
2. For example, an ORF must not be used to—
 - (a) Pay for the cost of meals or refreshments for USG employees in connection with routine inter- or intra-agency working meetings.
 - (b) Pay for purely private social events intended primarily for the personal entertainment or benefit of NRC officials and employees, their families, or personal guests.
 - (c) Pay for the costs of meals and refreshments solely for the personal staff of a senior NRC official upon that official's retirement from the NRC.
 - (d) Pay for a personal invitation to lunch extended by an NRC official to a foreign national who is a visitor to the United States or who serves on a Washington Embassy staff.

C. Nature of the Representation

Official representation functions generally consist of dinners, luncheons, cocktail parties, receptions, or similar affairs. These functions may be considered official representation only when—

1. The function can be justified as official business of the Commission.
2. The function is for the primary purpose of maintaining or enhancing the standing and prestige or furthering the policies and objectives of the NRC.

D. Official Hosts

1. NRC officials at the following ranks (or in their absence, persons specifically designated) will serve as the official host:
 - (a) Chair,
 - (b) Commissioners,
 - (c) Executive Director for Operations,
 - (d) Deputy Executive Directors,
 - (e) Office Directors, or
 - (f) Regional Administrators.

2. Exceptions to these official ranks may be considered on a case-by-case basis. An example may be permitting a division director to host presidents of Native American tribes if the office director or deputy office director cannot participate in hosting the event and rescheduling the event is not practical.

E. Scale of Representation

1. The scale of representation is generally governed by the importance attached to the occasion. Functions for top-ranking visitors may be like a reception or a formal dinner. Functions for visitors of lesser rank may be on a smaller scale, such as a luncheon or office meet-and-greet with the Commissioners.
2. Many activities that can be called "official representation" may involve little or no expenditure of money.
3. Generally, ORFs should be used for group representation because funds are not adequate to entertain a great number of persons individually.
4. Duplication of official representation should be avoided to the extent possible by arranging joint representation functions or by hosting a single representation function that will discharge the NRC's responsibility, including instances in which visits to more than one location are scheduled. These arrangements will usually be made by the OIP designee.

F. Items of Chargeable Expense

1. Items of expense that may be charged to an ORF include things usually associated with or incidental to the immediate function being sponsored. These include, but are not limited to—
 - (a) Food and beverages,
 - (b) Rental fees for use of the facility where the official representation function is conducted,
 - (c) Catering services,
 - (d) Tips and gratuities, and
 - (e) Other related expenses.
2. In addition to items of expenditures chargeable under Section III.F.1 of this handbook, limited quantities of mementos may be purchased.
3. Mementos may be presented only by a Commissioner (or designated representative) on behalf of the NRC.

G. Items of Expense Not Chargeable

1. Personal expenses of guests, like traveling expenses and hotel bills, must not be charged to ORFs.
2. Following are types of unauthorized expenditures:
 - (a) Hire, purchase, operation, or repair of any motor-propelled, passenger-carrying vehicle, including aircraft;
 - (b) Membership or dues in any society, club, or association;
 - (c) Printing expenses, including printing of greeting cards;
 - (d) Expenses for furnishing recreational and entertainment facilities solely for employees of the USG and their families; and,
 - (e) Most State and local taxes.
3. While the expenses listed above are representative of the types of expenses that are not chargeable to ORFs, this list is not meant to be exhaustive. Questions concerning the appropriateness of representation fund activities should be referred to OIP. Any questions regarding certification of funds available for the representation fund should be referred to CAB, OCFO.

H. Prescribed Limits

To discourage ostentation and to make efficient use of limited funds, the Director of OIP may prescribe dollar limits for the various types of approved official representation activities.

I. Participation by NRC Employees

1. As a general guideline, it is expected that –
 - (a) ORF-funded attendance at official representation functions by NRC employees other than the official host is authorized but must be kept to a minimum. Generally, the number of NRC personnel should not exceed the number of honored guests in attendance. The attendance must be limited to key staff personnel whose official duties are directly related to the official interest of the honored guest, or whose attendance is warranted to accord proper recognition.
 - (b) The necessity for any exception to Section III.1.2 (a) and (b) of this handbook must be explained on the commitment request form.
 - (c) In the context of refreshments purchased with official representation funds, this means that the number of NRC personnel who partake in the refreshments should not exceed the number of guests to whom official courtesies are being extended; however, this handbook identifies this as a “general guideline.”

2. The criteria in this section are applicable only to determine the expenses chargeable to ORFs. Occasions may arise when it is desirable to extend an open invitation to NRC personnel or others to attend official representation functions at their own personal expense, but in no case is their attendance compulsory.

IV. PROCEDURE TO DOCUMENT EXPENSES

- A.** When payment of official representation expenses is made at the time of the function or purchase, the official host obtains an itemized receipt for all expenses for OIP to attach to Standard Form-1034 (SF-1034), "Public Voucher for Purchases and Services Other Than Personal," in the GSA Forms Library, available at <http://www.gsa.gov/portal/forms/download/115462>.
- B.** The OIP designee prepares the SF-1034 for payment of expenses and submits it by email to NRCPayments@nrc.gov. Vouchers transmitted for payment must have a copy of the approved commitment request form attached and the original itemized receipts for all expenditures. OIP ensures that the expenditures claimed are in accordance with and appropriate to the authorization granted.
- C.** In unusual circumstances where it is impractical to obtain a receipt, an itemized declaration signed by the official host must be submitted and a notation made on the SF-1034.
- D.** Vouchers for authorized official representation expenses must be submitted within 15 calendar days (when practicable) of the date of the function or purchase. Alternatively, an office can send an SF-1034 directly to NRC@fiscal.treasury.gov (along with the paid receipt(s)) for processing or request OIP's designee to process the request on behalf of agency staff.
- E.** For expenses incurred through a purchase card, the OIP designee certifies receipt of goods or services and ensures that the expenditures claimed are in accordance with and appropriate to the authorization granted.

V. FREQUENCY AND FORMAT OF REPORTS

The OIP designee shall submit to the Director of OIP, no later than October 31, a summary report of all official representation expenses incurred during the preceding FY. This report will reflect the total amounts obligated and expended for Commission-hosted functions, staff-hosted functions, mementos, and other activities. A copy of this report will be provided to the Commission and to the Comptroller, DOC, OCFO.