



DEPARTMENT OF THE NAVY
OFFICE OF THE SUPERINTENDENT
UNITED STATES NAVAL ACADEMY
121 BLAKE ROAD
ANNAPOLIS, MARYLAND 21402-5000

21 August 2007

**MEMORANDUM FOR THE DIRECTOR OF ATHLETICS AND STAFF JUDGE
ADVOCATE**

From: Superintendent

Subj: POLICY FOR OFFICIAL PARTY AT AWAY ATHLETIC EVENTS

Ref: (a) 31 United States Code Section 1353
(b) 41 United States Code Section 304-5.4

1. This memorandum outlines policy for use in determining the composition of the Naval Academy "Official Party" at away athletic events, as well as provision of ground transportation, per diem and lodging for government military and civilian employees. A separate memorandum will address policy for the use of the Football Team Charter Aircraft and provision of any other commercial air travel for the Official Party. Compliance with this memorandum should (a) avoid unintended violations of joint ethics regulations by the command and individuals as well as (b) ensure proper representation for the Naval Academy at away intercollegiate athletic events.

2. **Background.** The United States Naval Academy (USNA) and the Naval Academy Athletic Association (NAAA), a nonprofit organization with headquarters at the U.S. Naval Academy, Annapolis, Maryland, have entered into an Operating Agreement that sets forth (a) the conditions under which NAAA shall operate at USNA, (b) the support that USNA as a host activity shall provide to NAAA as a tenant activity, and (c) the support and funding responsibilities of USNA and NAAA for the athletic program. The General Accounting Office (GAO) has determined in past reviews that the Operating Agreement serves the purpose of a contract between the two organizations. Paragraph 7b of the current agreement, dated 1 February 1999, states that "NAAA will pay all costs associated with official party travel to away athletic events. The Superintendent will determine the composition of the official party."

3. **Policy.** The Athletic Director shall identify which events require an "Official Party" to represent the Academy as well as designate specific individuals to be included in the Official Party for each event. The Official Party may include both individuals directly involved in the conduct of the competition as well as individuals serving as "Representatives" of the Naval Academy at the competition or events scheduled in conjunction with the competition. Individuals designated in the "Representative" category will normally include those who are appropriate to represent the Naval Academy with other universities, support stewardship of alumni and friends who have helped USNA in the past and/or are offering help for the future, or support interaction

with those who know little about USNA, the Navy/Marine Corps or the military – in order to expand communication, knowledge, experience, opportunity, friendship and diversity. Specific individuals commonly included among the Official Party include the following:

- **Category A - Individuals Directly Involved in the Conduct of the Competition**
 - Players, Coaches, Team Trainers, Team Physicians, Team Equipment Managers and any other NAAA/USNA personnel with a direct role in the competition.
 - Team Officer and Faculty Representatives
 - Team Chaplains
 - NAAA/USNA personnel with a direct support role for the competition – such as Broadcasting Crews, and Associate/Assistant Athletic Directors for External Relations, Sports Information, Marketing, Business and Ticket Operations, etc.

- **Category B – Individuals Traveling in a Representative Role**
 - Members of the USNA Senior Leadership Team
 - Coaches wives and/or guests in accordance with NAAA policy
 - Other individuals, including USNA staff, whose presence will support the goals outlined above for a specific competition.
 - Spouses of Category B individuals traveling in a representative role when it is determined that spouse presence at an official function benefits the Academy, and is expected or required due to similar presence of spouses at events in support of the competition. Spouses accompanying staff are classified as representatives of the Academy during the entire trip.

4. **Limitations on Lodging.** Per reference (a), travel and lodging provided to Category A and Category B individuals shall not exceed those allowable by the government rate in the specific location. Per reference (b), exceptions may be made only if the accommodations are “comparable in value to that offered to, or purchased by, other similarly situated individuals attending” the same functions.

5. **Limitations on Per Diem.** Per Diem may be paid to government military and civilian employees traveling as Category A individuals directly involved in the conduct of the competition per NCAA rules and NAAA Board of Control approved Per Diem policies for traveling athletic teams. Such payment will be made in lieu of any per diem provided by the government. Per Diem shall not be paid to Category B individuals, whether USNA or NAAA employees, when traveling in a representative role.

6. **Gift Acceptance.** Travel, lodging and per diem for Category A individuals directly involved in the conduct of the NCAA competition shall not be treated as a gift to the United States government. Travel and lodging for Category B individuals traveling in a representative role shall be treated as a gift to the United States government under the provisions of reference (a). Gift acceptance shall be coordinated through the Staff Judge Advocate.

7. **Guests and Other Family Members of the Official Party.** Guests and other family members of the Official Party, including children, may travel on ground transportation to away athletic competitions at the invitation of the Athletic Director, subject to space availability. The NAAA will comply with IRS regulations regarding reporting of benefits for such travel and lodging as it applies to guests and family members of employees of the NAAA. Guests and family members of government military and civilian employees traveling as members of the Official Party shall pay directly to the NAAA a fair share value of the cost of such transportation and lodging. Fair share cost for transportation may be determined by the NAAA to be either the total cost of the transportation method (e.g. bus charter) divided by the number of seats, or the rate of similar travel available through commercial means. Fair share cost for lodging shall be the actual cost of any lodging that exceeds the approved cost of lodging for the members of the official party. For example, if children travel with their parents and stay in same room, no additional cost is incurred. If an additional room is needed, the actual cost must be reimbursed by the parent.

8. **Responsibility.** The Athletic Director is responsible for compliance with the policy in this memorandum, communication with designated individuals and movements of personnel associated with the Naval Academy Official Party at away competitions. Exceptions to this policy require specific Superintendent approval.


J. L FOWLER

Copy to:
USNA Senior Leadership Team (SLT)
Comptroller