

**DECISION****THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

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FILE: B-211820

DATE: September 12, 1983

MATTER OF: Department of Interior - Purchase of Air Purifiers

**DIGEST:** Purchase of air purifiers that would clean the air in Department of Interior public reading room of tobacco smoke does not violate rule against purchasing equipment for personal benefit of individual employees, since all employees and members of public who use the room would benefit. 61 Comp. Gen. 634 (1982) distinguished.

This is in response to a request by a Department of Interior contracting officer for our decision as to the propriety of the proposed procurement of two air purifiers for use in the Arizona Public Land Records Room. For the reasons stated below, we find that the proposed expenditures may be made.

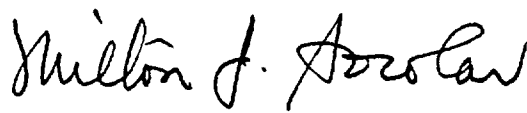
The Acting Chief of the Branch of Lands and Minerals Operation, Bureau of Land Management, Department of the Interior has requisitioned two "Smokeeaters," a type of air purifier, to be installed in a public land records room at a cost of \$1200 plus installation costs. The small, enclosed room where the air purifiers will be installed is the sole source of public land records in the State of Arizona. The room was designed to service about one-third of the traffic it now accommodates. Typically about 100 people use the room daily. Users of the room often smoke cigarettes, cigars and pipes. As a result, the area is often filled with smoke, causing discomfort, annoyance and complaints from both the public and Government employees. The air conditioning system is not able to relieve the air of so much smoke. Also, while "No Smoking" signs have been posted, the policy of prohibiting smoking has not been effectively enforced.

The question posed by the contracting officer is whether our decision in 61 Comp. Gen. 634 (1982), where we held that the purchase of an air purifier for the use of an employee suffering from asthma was improper, applies to the proposed purchase. We conclude that it does not.

Our objection to the purchase in 61 Comp. Gen. 634 was that appropriated funds were used to make a purchase that was for the personal use of an individual employee. We have frequently held that such expenditures cannot be made from appropriated funds unless they are expressly authorized by Congress. See cases cited in our decision, id., at 635.

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The proposal to purchase air purifiers for a public reading room presents no such problem. From the justification for the purchase provided us, the air purifiers will benefit the public users of the reading room as well as improve the working conditions of Government employees who work in the area. Besides the obvious improvement in the comfort of all who use the reading room, the contracting officer notes that through the use of air purifiers the morale of employees who use the work area is expected to improve from the reduction in tobacco smoke. We reached a similar result in B-119485, April 15, 1954, where we concluded that the Public Health Service could purchase portable air conditioners for use in a dental clinic since the air conditioners would improve patient comfort and the efficiency of employees. Accordingly, we have no objection to the purchase of the air purifiers in this case if the appropriation used is otherwise available for this purpose.

*for*   
Comptroller General  
of the United States