

# U.S. Department of Energy ORDER

## Washington, D.C.

Approved: 1-25-07

SUBJECT: CONFERENCE MANAGEMENT

### 1. OBJECTIVES.

- a. To establish requirements and responsibilities for managing conferences<sup>1</sup> sponsored or co-sponsored by the Department of Energy (DOE), including the National Nuclear Security Administration (NNSA).
- b. To ensure that the appropriate number of DOE and DOE contractor employees are attending a specific conference and minimize costs by DOE and DOE contractor employees at all conferences.
- c. To clarify the requirements for funding conferences in compliance with existing laws and regulations.
- d. To ensure that DOE is exercising care with respect to the use of tax payers dollars.

### 2. CANCELLATION.

- a. DOE O 110.3, *Conference Management*, dated 11-3-99. Cancellation of an Order does not by itself modify or otherwise affect any contractual obligation to comply with the Order. Contractor Requirements Documents (CRDs) containing directive requirements that have been applied to a contract remain in effect until the contract is modified to eliminate or replace requirements from canceled directives.

### 3. APPLICABILITY.

- a. Departmental Elements. Except for exclusions in paragraph 3c, this Order applies to all Departmental elements as well as operations offices, laboratories, field offices, and site offices. Go to <http://www.directives.doe.gov/references> for a listing of Departmental elements. This list automatically includes all Departmental elements created after the Order is issued.

The Administrator of the National Nuclear Security Administration (NNSA) will assure that NNSA employees and contractors comply with their respective responsibilities under this Order. Nothing in this Order will be construed to interfere with the NNSA Administrator's authority under section 3212(d) of Public Law (P.L.) 106-65 to establish Administration specific policies, unless disapproved by the Secretary.

#### DOE O110.3A

- <sup>1</sup> For purposes of this Order, a conference is defined as a meeting, seminar, retreat, symposium, or similar event that involves official travel.

<sup>1</sup> A senior contractor official is the equivalent of the head of a first-tier Headquarters or field organization.

- b. DOE Contractors. Except for the exclusions in paragraph 3c, the Contractor Requirements Document (CRD), Attachment 1, sets forth requirements of this Order that will apply to contractors whose contracts include the CRD. The CRD must be included in contracts that require or involve responsibility for work or operations at DOE sites or facilities. The contractor is responsible for compliance with the requirements of the CRD to the extent set forth in its contract and for flowing down the requirements to subcontractors to the extent necessary to ensure the contractor's compliance with the requirements.
- c. Exclusions.

(1) This Order does not apply to the following:

- (a) DOE employees traveling to sites where work for DOE is being performed to discuss the status of that work;
- (b) formal, structured training programs (including seminars specifically

held for training purposes) that have specific objectives identified to improve certain knowledge, skills, and abilities;

(c) contractor activities related to work not funded by DOE;

(d) meetings requiring only local travel;

(e) Federal Advisory Committee meetings;

(f) contract pre-proposal, bid opening and similar activities, including negotiations;

(g) public hearings and associated briefings;

(h) audits, inspections, and investigations ;

(i) DOE technical/business program, project, or peer reviews;

(j) activities funded through financial assistance agreements, unless management of a DOE conference is a purpose of the Agreement; and

(k) conferences for which DOE is sponsoring or co-sponsoring where the total DOE expenditure is less than \$10,000.

However, when two or more DOE elements are co-sponsoring a conference, it is the responsibility of the organizations to ensure that the conference is reported if combined sponsorship meets the \$10,000 threshold.

(2) Consistent with Secretarial delegation Order Number 00-033.00A to the Administrator and Chief Executive Office, Bonneville Power Administration, (BPA), this order does not apply to BPA.

#### 4. REQUIREMENTS.

a. General Requirements. See questions and answers, Attachment 2.

(1) A program Secretarial Officer, head of a DOE Headquarters element, or their principal deputies must approve DOE sponsorship, co-sponsorship, or funding of a conference if DOE and DOE contractor employees are expected to attend the conference. This authority may be delegated to the head of a field element, which includes the heads of operations offices, field offices, and site offices (or their principal deputies). An employee, other than the Secretary of Energy, cannot approve his or her own attendance or that of a superior.

(2) All Departmental elements and the National Nuclear Security Administration are required to enter all conference activities into the Department's Conference Management System (CMS) (i.e., those conferences sponsored or cosponsored by the Department of Energy or its contractors). The CMS is the Department's corporate data base that will be used to:

(a) Generate reports for use by the Director of Management to alert the DOE principals of any activities that appear inconsistent with DOE conference management policy and procedures;

(b) Provide the DOE community with a tool where it can view approved and proposed conferences and use for information and planning and decision-making purposes; and

(c) Compile information for the Congress and Federal agencies as required.

(3) Within one week of approval by the appropriate Departmental element, preliminary conference information must be entered into the CMS.

(4) Within 30 days of the completion of the approved conference, the CMS must be updated to reflect the final number of attendees, costs, and other relevant information.

NOTE: Sponsorship (or co-sponsorship) of a conference is defined as having control over the conduct of the conference (e.g., control sufficient to influence costs, venue, program content, or similar aspects of the conference) and having some financial responsibility or providing in-kind (non-monetary) services for the conference.

(5) For managing a federally-sponsored conference (including conferences that are cosponsored, funded, or co-funded by DOE), the following are required.

(a) Keep DOE expenditures and attendance at conferences to the minimum necessary to accomplish program objectives.

(b) Minimize the number and cost of DOE-sponsored and co-sponsored, or DOE contractor sponsored exhibits/booths by using corporate-type exhibits/booths that can be shared by DOE and DOE contractor organizations where practical.

(c) Justify a recurring conference (i.e., organizations should not assume that an annual conference must be held merely because it has been held previously).

(d) Select sites with the goals of minimizing conference administrative costs and attendees' travel and per diem costs and maximizing the use of Government-owned or Government-provided facilities.

(e) Select sites only after evaluating cost differences of at least three prospective locations unless there is a specific advantage to the Government, which must be documented in writing.

(f) The selection process should identify opportunities to save costs by selecting a particular site or setting the conference date (e.g., to take advantage of off-season rates).

(g) Maintain written documentation of the alternatives considered and the selection rationale used.

(h) Avoid selecting resort or recreational sites unless true cost savings will result.

(i) Make binding conference arrangements only after obtaining the

approval of the appropriate head of Departmental element, as required by this Order.

NOTE: Employees are reminded that only designated contracting officers have authority to make contractual commitments on behalf of DOE.

(j) Comply with applicable statutes and regulations on conflict of interest.

(k) Avoid commercial conference facilities for sponsored conferences involving classified or sensitive information.

(l) Avoid holding conferences at non-DOE sites that do not meet the fire protection requirements of the Hotel and Motel Fire Safety Act of 1990 [Public Law (P.L.) 101-391, as amended]. This requirement may be waived by the Secretary of Energy.

(6) To determine that participation in a non-federally funded conference is in the best interest of DOE, the following factors must be considered:

(a) relevance to DOE;

(b) potential benefit to DOE;

(c) potential for networking opportunities to share DOE information with the private sector;

(d) the number of DOE Federal or DOE contractor employees who are to either participate or attend;

(e) total costs for DOE Federal and DOE contractor attendees and participants;

(f) location of the event;

(g) potential for any adverse perception resulting from DOE participation; and

(h) whether the organization's interests would be better served by the Department's direct sponsorship of a conference.

b. Requirements for Food, Registration Fees, and other Allowable and Unallowable Conference Costs  
(See also Attachment 2, Questions & Answers).

(1) DOE-Sponsored Conferences. Costs of meals and refreshments are allowable for all attendees (including Federal and contractor employees) at DOE sponsored conferences only when—

(2) attendees are on travel status,

(3) meals and refreshments are incidental to the conference,

(4) attendance at the meals and when refreshments are provided is important for DOE to ensure full participation in essential discussions, lectures, or speeches concerning the purpose of the conference, and

(5) the meals and refreshments are part of a formal conference that includes substantial functions occurring separately from when the food is served.

NOTE: Payment for the cost of meals and refreshments may be made by purchase order or other contractual arrangement.

c. Non-Government Sponsored Conferences. If a non-Government organization sponsors a conference and a separate charge is made for meals, DOE may pay for the employee' meals only when—

(1) the meals are incidental to the conference;

(2) attendance of the employee is necessary for full participation in the business of the conference; and

(3) the employee is not free to take the meals elsewhere without being absent from essential formal discussions, lectures, or speeches concerning the purpose of the conference.

d. Reduction in Per Diem. Regardless of sponsorship, when a DOE employee attends a conference that includes meals, employees on temporary duty travel must reduce their claims for per diem according to the Federal Travel Regulations Title 41 Code of Federal Regulations (CFR) 301-11.18.

e. Ethical Restrictions that Apply to Federal Employees. DOE Federal employees who attend conferences sponsored by DOE contractors should not participate in entertainment events or meals that are being paid for by the contractor, which will result in Federal employees violating the Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR 2635). DOE Federal employees must pay the fair market cost of such events or meals if they wish to attend.

f. Conference Costs. Federal employees will not be reimbursed for separate voluntary fees charged to conference attendees by DOE contractors to cover such items as meals and entertainment. However, when the employee pays this voluntary fee from personal funds, he/she is not required to reduce his/her per diem. Food costs also are allowable when they are generally included in the cost of renting a conference room and are not itemized as a separate fee.

g. Allowable Costs. A contractor will be reimbursed for conference costs only if the principal purpose of the conference is to disseminate trade, business, professional, or technical information or to stimulate production per contract requirements.

h. Unallowable Costs. Per 48 CFR 31.205-14 (entertainment costs) and 48 CFR 31.205-51 (cost of alcoholic beverages), the costs of entertainment, such as tickets to shows or sporting events, and alcoholic beverages at conferences sponsored by DOE contractors are unallowable and contractors will not be reimbursed for these costs.

NOTE: Such costs cannot be included in a registration fee.

The costs of meals and refreshments are allowable only if—

(1) the meals and refreshments are incidental to the conference;

- (2) attendance at the meals and when refreshments are served is important for the attendee's full participation in the conference; and
- (3) the meals and refreshments are part of a formal conference that also includes substantial functions occurring separately from when the food is served.

i. Registration Fees.

(1) Conference fees collected by DOE are subject to the Miscellaneous Receipts Act [Title 31 United States Code (U.S.C.) § 3302] and must be deposited with the Treasury as soon as practicable without deduction for any charge or claim.

(2) Co-sponsors (other than DOE contractors) of conferences with DOE may collect conference fees provided that DOE is not statutorily or otherwise legally mandated to conduct the conference, and provided that attendance at the conference is not a requirement for receiving a benefit or service from DOE. Conference fees collected by co-sponsors (other than DOE contractors) are not subject to the Miscellaneous Receipts Act in these situations. DOE may not specify the purposes to which conference fees collected by a co-sponsor are to be used, nor may DOE control or supervise the fees or determine the amount of fees.

(3) Absent specific statutory authority, when DOE or a DOE contractor [except as noted in paragraph 4i(4)] charges and receives a conference fee the fee must be deposited in the Treasury pursuant to the Miscellaneous Receipts Act, and will not be available to defer the costs associated with the conference.

(4) DOE Contractors may collect conference fees in certain limited situations. Contractors may collect fees provided the contractor has initiated the conference and the conference is not conducted under a task order or other specific contractual requirement or request from DOE and provided that DOE is not statutorily or otherwise legally mandated to conduct the conference and provided that attendance at the conference is not a requirement for receiving a benefit or service from DOE. Conference fees collected by DOE contractors are not subject to the Miscellaneous Receipts Act in these limited situations. DOE may not specify the purposes to which conference fees collected by a contractor are to be used, nor may DOE control or supervise the fees or determine the amount of fees. DOE may not be a co-sponsor of such conferences.

## 5. RESPONSIBILITIES.

a. Head of Headquarters Departmental Element.

(1) Approves all conferences sponsored by DOE.

(2) Approves employees' participation in conferences not sponsored or cosponsored by DOE.

(3) Ensures that the minimum practicable number of employees participate in a conference.

(4) Ensures that conferences are being held only to support organization missions and programs.

(5) Ensures that DOE conferences conform to the requirements of this Order.

(6) Informs and where appropriate coordinates with the Office of the Assistant Secretary for Policy and International Affairs and the Office of Health, Safety and Security on all foreign conferences (both DOE sponsored and cosponsored conferences) and attendance at all foreign-sponsored conferences in accordance with DOE O 551.1B *Official Foreign Travel*, dated 8-19-03.

(7) Coordinates with the Assistant Secretary for Congressional and Intergovernmental Affairs and the Director of Public Affairs where conference decisions may have congressional, intergovernmental, press, or public affairs implications or effects.

(8) Ensures that proposed conferences do not duplicate conferences presented by others (i.e., DOE contractors or other non-DOE sources) that involve DOE funds.

(9) To the extent possible, ensures that DOE sponsored events do not duplicate private-sector activities such as trade shows.

(10) Ensures that conferences are held at locations accessible to disabled participants.

(11) Ensures that disabled participants will be provided reasonable accommodations to enable their participation in conference activities.

(12) Designates organizational primary and alternate points of contact that will be responsible for ensuring compliance with this Order and maintaining central files on all conference activities within that organization.

(13) Within 30 days of issuance of this Order, submits a memorandum to the Office of the Executive Secretariat identifying designated organizational points of contact.

b. Director, Office of Management.

(1) Provides advice and guidance on conference management.

(2) Alerts the appropriate Under Secretary of any proposed activities that appear to be inconsistent with departmental conference policy or procedure.

c. Organizational Primary and Alternate Points of Contact.

(1) Enter information and estimated costs of proposed and approved conferences into CMS.

(2) Check the CMS website to confirm that their organization's proposed conferences do not duplicate any other DOE or DOE contractor-proposed conference.

(3) Ensure that all copies of conference approval packages are centrally filed and conveniently located for quick reference.

(4) Participate in meetings held by the Office of the Executive Secretariat regarding CMS.

(5) Submit memoranda notifying the Office of the Executive Secretariat when primary or alternate points of contact change.

d. Federal Conference Attendee.

(1) Completes a proposed conference attendance request (see Attachment 3 for sample form).

(2) After the conference request has been approved, submits a copy of the approval package to the organization point of contact for entry into CMS.

## 6. REFERENCES.

a. DOE O 551.1B, *Official Foreign Travel*, dated 08-19-03, which establishes requirements and responsibilities governing official foreign travel by Federal and contractor employees.

b. Federal Travel Regulation, 41 CFR 301-74, Conference planning, which provides information on planning and attending conferences.

c. Miscellaneous Receipts Act [Title 31 United States Code (U.S.C.) § 3302].

7. NECESSITY FINDING STATEMENT. In compliance with Section 3174 of P.L. 104-201, (42-USC 7274 note), DOE hereby finds that this Order is necessary for the fulfillment of current legal requirements and conduct of administrative functions.

8. CONTACT. Questions concerning this Order should be directed to the Office of the Executive Secretariat at 202-586-5230.

BY ORDER OF THE SECRETARY OF ENERGY:

CLAY SELL  
Deputy Secretary



## **CONTRACTOR REQUIREMENTS DOCUMENT** **DOE O 110.3A, *Conference Management***

Regardless of the performer of the work, Department of Energy (DOE) contractors, including National Nuclear Security Administration (NNSA) contractors, are responsible for complying with the requirements of this Contractor Requirements Document (CRD) and flowing down CRD requirements to subcontractors at any tier to the extent necessary to ensure contractor compliance.

The contractor must comply with the requirements of this CRD and apply them to managing conferences it sponsors, its employees' attendance at conferences and its employees' participation in conferences sponsored by private interests.

## 1. REQUIREMENTS.

a. A program Secretarial Officer, head of a DOE headquarters element, or their principal deputies must approve DOE sponsorship, co-sponsorship, or funding of a conference if DOE contractor employees are expected to attend the conference. This authority may be delegated to the head of a field element, which includes the heads of operations offices, field offices, site offices, and senior contractor officials<sup>1</sup> (or their principal deputies).

b. Contractor employee conference attendance and participation also require submission of the Contractor Conference Approval Request Form (see Attachment 1, Appendix A) and memorandum to the Departmental element or the official to whom this responsibility has been delegated for review and approval by the appropriate head of Departmental element.

c. Approval authority for sponsoring or co-sponsoring a conference cannot be delegated below the senior contractor official's principal deputy.

d. When managing contractor-sponsored or cosponsored conferences, contractors must meet the following requirements.

(1) Keep Federal expenditures and attendance at conferences to the minimum necessary to accomplish program objectives.

(2) Minimize the number and cost of exhibits/booths at all conferences and where practical, use corporate-type exhibits/booths that can be shared by DOE and DOE contractor organizations.

(3) Justify a recurring conference (do not assume that an annual conference must be held merely because it has been held previously).

(4) Select sites that minimize conference administrative costs and attendees' travel and per diem costs and maximize the use of Government-owned or Government-provided facilities.

(5) Select sites only after evaluating cost differences of at least three prospective locations unless there is a specific advantage to the Government, which must be documented in writing.

(6) In the selection process, identify opportunities to save costs in selecting a particular conference site or in scheduling the conference (e.g., to obtain off-season rates).

(7) Maintain written documentation of the alternatives considered and the selection rationale used. Avoid selecting resort or recreational sites unless true cost savings will result.

(8) Make binding conference arrangements only after obtaining the approvals required by this CRD.

(9) Conferences sponsored by DOE contractors must not include entertainment events or meals that are being paid for by the contractor which will result in Federal employees violating the Standards of Ethical Conduct for Employees of the Executive Branch [Title 5 Code of Federal Regulations (CFR) 2635].

(10) Avoid commercial conference facilities for conferences involving classified or sensitive information.

(11) Avoid holding conferences at non-DOE sites that do not meet the fire protection requirements of the Hotel and Motel Fire Safety Act of 1990 (P.L. 101-391, as amended). This requirement may be waived by the Secretary of Energy.

e. In determining who and how many employees to send to a conference that requires employees travel, contractors must develop their own internal procedure to ensure the appropriate number of employees are attending conferences.

f. In deciding whether employees should participate in a conference sponsored by a private interest, contractors must consider the following.

(1) Determine that participation in the conference is in the best interest of the Department based upon—

(a) the relevance of the event,

(b) the potential benefit,

(c) the need to get DOE related information out to the attendees and whether the particular conference is an effective means to do that,

(d) the number of DOE or DOE contractor employees who are either participants or expected attendees,

(e) the total costs for DOE and DOE contractor attendees and participants,

(f) the location of the event,

(g) the potential for any adverse perception associated with DOE participation, and

(h) whether DOE's interests would be better served by the direct sponsorship of a conference.

(2) Consult, as necessary, with the DOE contracting officer before committing to contractor employee conference participation.

g. DOE policy regarding reimbursement of conference registration fees, allowable conference (and related) costs, and funding the contractor is as follows.

(1) DOE will reimburse a contractor for conference costs only if the principal purpose of the conference is to disseminate trade, business, professional, or technical information or to stimulate production per contract requirements. (See the cost principle at 48 CFR 31.205-43 which is incorporated into the contract in the payments clause or payments and advances clause.)

(2) If a DOE contractor sponsors a conference, it may charge attendees (including DOE and DOE contractor employees and non-DOE attendees) a registration fee if the conference has been initiated by the contractor and is not being conducted under a task order or other specific contractual requirement or request from DOE and provided that DOE is not statutorily or otherwise legally mandated to conduct the conference and provided that attendance at the conference is not a requirement for the receipt of any benefit or service from DOE. The DOE contractor can use the fee to offset the conference costs. The fee may not be used for any type of unallowable cost, such as entertainment or alcoholic beverages. DOE may not be a co-sponsor of such conferences.

(3) DOE will not reimburse a contractor for the cost of entertainment or alcoholic beverages, regardless of how the cost is classified; for example, DOE will not reimburse an entertainment cost included in a conference fee. [See the cost principle at 48 CFR 31.205-14.]

(4) DOE will reimburse a contractor for the cost of meals and refreshments only if—

(a) the meals and refreshments are incidental to the conference;

(b) attendance at the meals and when refreshments are served is important for the attendee's full participation in the conference; and

(c) the meals and refreshments are part of a formal conference that also includes substantial functions occurring separately from when the food is served.

(5) If a non-Government organization sponsors a conference and a single, mandatory, non-separable registration fee is charged for both attendance and meals or an evening social event, the cost of the full registration fee is allowable.

(6) Employees must reduce claims for per diem if meals are included in a registration fee. Although per diem is an allowable cost under DOE contracts, DOE will not reimburse contractors for any additional costs for employee's meals.

(7) A DOE contractor may charge a separate voluntary fee to attendees to cover such items as entertainment. This fee will not be reimbursed by DOE. However, when the employee pays this voluntary fee, he/she is not required to reduce his/her per diem.

(8) DOE will generally reimburse contractors for their employees' registration fees for non-DOE or DOE contractor-sponsored conferences.

2. RESPONSIBILITIES. The contractor senior official or principal deputy (equivalent in seniority to a DOE head of a Departmental Headquarters or field element).

a. Approves all contractor-sponsored domestic conferences, which includes the National Nuclear Security Administration, or DOE contractor employees on official travel to attend a conference. Approval of these requests must be documented by memorandum and a completed form (Appendix A to this CRD) approved and submitted by the program senior contractor official or his principal deputy for review.

b. Obtains the concurrence of the cognizant field element on the conference approval package (e.g., Sandia National Laboratories will obtain the concurrence of the manager or deputy of the National Nuclear Security Administration Service Center).

c. Ensures that contractor conferences are being held to support the contract's purpose and conform with the procedural requirements and policies of this CRD.

d. Coordinates with the Office of the Assistant Secretary for Policy and International Affairs on all foreign conferences, in accordance with this CRD.

e. Coordinates with the Assistant Secretary for Congressional and Intergovernmental Affairs and the Director of Public Affairs where conference decisions may have congressional, intergovernmental, press, or public affairs implications or effects.

f. Ensures that proposed conferences do not duplicate conferences presented by others that involve DOE funds and ensures that contractor-sponsored conferences do not duplicate private-sector activities, such as trade shows and similar events.

g. Ensures that conferences are held at locations accessible to disabled individuals and that such individuals are provided reasonable accommodations to engage in conference activities.

h. Designates a primary and alternate point of contact and ensure the designated employees enter the information required in this CRD, including estimated costs, about contractor sponsored conferences on the Office of Management Conference Management System (CMS).

i. Ensures that the designated point of contact includes all necessary information in the conference approval packages.

j. After the conference request has been approved, ensures that attendees submit a copy of the approval package to their CMS points of contact for use in compiling the information needed to complete Attachment 3 of this Order.

## **CONTRACTOR CONFERENCE APPROVAL REQUEST FORM FOR DOE SPONSORED OR CO-SPONSORED CONFERENCES**

Following is the format that includes the type of information needed in an organization's conference approval package:

**DATE OF REQUEST:** (self-explanatory)

**REQUESTED BY:** (name/title of requesting official)

**SPONSORING ORGANIZATION:** (title of DOE or DOE contractor organization sponsoring the conference)

**COSPONSORING ORGANIZATION:** (title of DOE or DOE contractor organization or non-DOE entity cosponsoring the conference, if applicable)

**CONFERENCE TITLE:** (formal title of conference)

**CONFERENCE DATE:** [proposed date(s) of the conference]

**PURPOSE AND OBJECTIVE(S):** (Describe the purpose of the conference, justify, and certify that sponsorship of this conference is important to the program mission.)

**CONFERENCE LOCATION:** (proposed city and state where the conference is to be held or foreign location, if applicable)

**RATIONALE FOR SELECTION OF CONFERENCE LOCATION:** (Provide a rationale and justification for site selection; a cost comparison of alternative sites considered (if location is not at a principal facility site of the sponsoring organization); and certification that the site selected is the most cost-effective considering costs such as travel, per diem, and conference logistics.)

**ESTIMATED COST BREAKDOWN:** (Provide this information if applicable.)

### **TRAVEL AND PER DIEM COSTS**

DOE Employees (HQ): \$ XX,XXX

DOE Employees (Field): XX,XXX

Contractor Employees (HQ): XX,XXX

Contractor Employees (Field): XX,XXX

**TOTAL DOE TRAVEL COSTS: \$ XXX,XXX**

**OTHER EXPENSES**

Logistics (facility arrangements): \$ XX,XXX

Supplies and Support Equipment XX,XXX (specify costs; e.g., materials, printing, etc.):

Other Costs XX,XXX (specify, e.g., direct labor support and overhead):

Total Other Expenses: XX,XXX

**TOTAL ESTIMATED DOE COSTS: \$ XXX,XXX**

**ESTIMATED COSPONSOR COSTS** (specify source, if applicable): \$ XXX,XXX

**ESTIMATED TOTAL NUMBER OF CONFERENCE ATTENDEES:** (Provide this information if applicable.)

Traveling Non-traveling

DOE HQ Employees (Detail number from each office): XX XX

FE X

MA X

etc.

DOE Field Employees: XX XX

AL

etc.

Contractor Employees (HQ): XX XX

CACI

Contractor Employees (Field): XX XX

LBNL

FETC

etc.

Others: XX XX

**TOTAL: XXX XXX**

**SUPPORT CONTRACTOR PERFORMANCE:** (If applicable, specify the support contractor who will provide support for the conference.)

**IMPACT STATEMENT:** (Provide an impact statement of effect if the conference is not approved.)

**POINT OF CONTACT FOR THE SPONSORING ORGANIZATION:** (Provide name and telephone number.)

**CONFERENCE Q & A**

**1. REGISTRATION FEES, MEALS, AND REFRESHMENTS**

***Q1 What is the definition of a conference?***

**A1** As defined in DOE O 110.3A, *Conference Management*, dated XX-XX-05, a conference is a meeting, seminar, retreat, symposium, or similar event that involves official travel. DOE employees traveling to a site where work for DOE is being performed to discuss the status of the work are not considered to be attending a conference. Additional exclusions from coverage under this section of the travel regulations are listed in paragraph 3c of DOE O 110.3A.

***Q2 May DOE reimburse the conference registration fees of Federal employees?***

**A2** Yes, but only for non-DOE sponsored conferences. For DOE sponsored conferences, DOE may arrange for a separate voluntary fee to be collected by persons other than DOE employees to cover the cost of meals, refreshments and/or entertainment. This fee will not be reimbursed by DOE.

***Q3 May DOE arrange for conference registration fees at a DOE sponsored conference?***

**A3** No, because DOE does not have statutory authority to collect registration fees. DOE sponsored conferences should be fully funded by the sponsoring program offices or by a co-sponsor that DOE does not control.

***Q4 Since DOE cannot retain registration fees, what other options are available to the Department, when sponsoring or cosponsoring a conference?***

**A4** There are a couple of options available to the DOE; these include co-sponsorship (with an entity other than a DOE contractor), or by co-locating the conference.

(a) Co-sponsorship with another entity (not a DOE contractor) - In this situation the Department could elect to split conference costs with a non-contractor entity (e.g., university, non-profit organization) that co-sponsors the conference. The Department must have a written arrangement that clearly delineates the roles and liabilities of each partner. The co-sponsor could be responsible for hiring of vendors, with no liability on the Department. A co-sponsor (other than a DOE contractor) may charge registration fees. DOE may not specify the purposes for which conference fees collected by a co-sponsor are to be used, nor may DOE control or supervise the fees or determine the amount of the fees. The written arrangement could be in the form of a letter or memorandum of understanding.

(b) Co-location of conference – In order to avail themselves of the capabilities of other organizations, the Department could co-locate an agency-organized and agency-hosted conference with a conference organized and hosted by another organization. For example, where an agency and other organization plans their own, separate conference on the same complimentary topics, DOE may consider co-locating its conference and coordinating the agendas and schedules, in order to take advantage of the efficiencies of economies of scale and a shared audience.

***Q5 At DOE sponsored conferences, may the costs of providing meals and refreshments to attendees be paid with appropriated funds?***

**A5** Appropriated funds may be used, if the DOE conference in question is considered a “formal conference.” A “formal” conference typically involves topical matters of interest to, and the participation of multiple agencies and/or nongovernmental participants and may include registration, a published agenda, and scheduled speakers or discussion panels.

***Q6 If the conference qualifies as a “formal” conference, when may appropriated funds be used for the cost of providing meals and refreshments ?***

**A6** These costs may be paid by appropriated funds for all conference participants (both Federal and non-Federal) when—

- (1) meals and refreshments are incidental to the conference,
- (2) attendance at the meals and when refreshments are provided is important for DOE to ensure full participation in essential discussions, lectures, or speeches concerning the purpose of the conference, and
- (3) the meals and refreshments are part of a formal conference that includes substantial functions occurring separately from when the food is being served.

***Q7 What food items qualify as “refreshments”?***

**A7** The regulations define refreshments as including, but not limited to, coffee, tea, milk, juice soft drinks, donuts, bagels, fruit, pretzels, cookies, chips, and muffins. (41 CFR 301-74.11)

***Q8 May DOE & DOE contractors charge a separate voluntary fee to conference attendees to cover such items as meals and entertainment?***

**A8** DOE does not have statutory authorization to keep such receipts under the Miscellaneous Receipts Act, so DOE will not charge a fee. However, DOE contractors may charge such a voluntary fee. Employees may pay this

voluntary fee from personal funds; however, when an employee pays this voluntary fee from personal funds, he is not required to reduce his per diem. Furthermore, the attendee would not be able to claim reimbursement for any fee that exceeded the per diem.

## 2. CONTRACTOR SPONSORED CONFERENCES.

***Q9 In order to finance a conference, may DOE contractors collect conference registration fees?***

**A9** It depends. Contractors may collect conference fees at contractor-sponsored conferences that have been initiated by the Contractor and are not being conducted under a task order or specific contractual requirement or request from DOE, provided that DOE is not statutorily or otherwise legally mandated to conduct the conference and provided that attendance at the conference is not a requirement for receiving a benefit or service from DOE. In these limited situations, a contractor could hire a conference organizer. Conference fees collected by DOE contractors to offset conference costs are not subject to the Miscellaneous Receipts Act in these situations. Conference fees may not be charged at a conference that is co-sponsored by DOE and a DOE contractor.

***Q10 When is a contractor reimbursed for holding a conference?***

**A10** A contractor will be reimbursed for conference costs only if the principal purpose of the conference is to disseminate trade, business, professional or technical information or to stimulate production per contract requirements.

***Q11 What contractor conference costs are not reimbursable?***

*A11* Contractors who are co-sponsoring conferences with DOE will not be reimbursed for entertainment costs (e.g., alcoholic beverages, tickets to shows or sporting events). Also, such costs may not be included in the registration fee.

*Q12 Can a contractor provide for entertainment, if the contractor pays for it?*

*A12* Yes; however, contractors who are sponsoring conferences should not include events, such as entertainment or meals, which would result in Federal employees violating the Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR 2635).

## **CONFERENCE APPROVAL REQUEST FORM AND ATTENDANCE REQUEST FORM**

Following is the format that includes the information needed in an organization's conference approval package:

**DATE OF REQUEST:** (self-explanatory)

**REQUESTED BY:** (name/title of requesting official)

**SPONSORING ORGANIZATION:** (title of DOE or DOE contractor organization sponsoring the conference)

**COSPONSORING ORGANIZATION:** (title of DOE or DOE contractor organization or non-DOE entity cosponsoring the conference, if applicable)

**CONFERENCE TITLE:** (formal title of conference)

**CONFERENCE DATE:** [proposed date(s) of the conference]

**PURPOSE AND OBJECTIVE(S):** (Describe the purpose of the conference, justify, and certify that sponsorship of this conference is important to the program mission.)

**CONFERENCE LOCATION:** (proposed city and state where the conference is to be held, or foreign location, if applicable)

**RATIONALE FOR SELECTION OF CONFERENCE LOCATION:** (Provide a rationale and justification for site selection; a cost comparison of alternative sites considered (if location is not at a principal facility site of the sponsoring organization); and certification that the site selected is the most cost-effective considering costs such as travel, per diem, and conference logistics.)

**ESTIMATED COST BREAKDOWN:** (Provide applicable information.)

### **TRAVEL AND PER DIEM COSTS**

DOE Employees (HQ): \$ XX,XXX

DOE Employees (Field): XX,XXX

Contractor Employees (HQ): XX,XXX

Contractor Employees (Field): XX,XXX

**TOTAL DOE TRAVEL COSTS: \$ XXX,XXX**

**OTHER EXPENSES**

Logistics (facility arrangements): \$ XX,XXX

Supplies and Support Equipment XX,XXX (specify costs; e.g., materials, printing, etc.):

Other Costs XX,XXX (specify, e.g., direct labor support and overhead):

Total Other Expenses: XX,XXX

**TOTAL ESTIMATED DOE COSTS: \$ XXX,XXX**

**ESTIMATED COSPONSOR COSTS** (specify source, if applicable): \$ XXX,XXX

**ESTIMATED TOTAL NUMBER OF CONFERENCE ATTENDEES:**

Traveling Non-traveling

DOE HQ Employees (Detail number from each office): XX XX

FE X

ME X

etc.

DOE Field Employees: XX XX

AL

etc.

Contractor Employees (HQ): XX XX

CACI

Contractor Employees (Field): XX XX

LBNL

FETC

etc.

Others: XX XX

**TOTAL: XXX XXX**

**SUPPORT CONTRACTOR PERFORMANCE:** (If applicable, specify the support contractor who will provide support for the conference.)

**IMPACT STATEMENT:** (Provide an impact statement of effect if the conference is not approved.)

**POINT OF CONTACT FOR THE SPONSORING ORGANIZATION:** (Provide name and telephone number.)