UNITED STATES DEPARTMENT OF COMMERCE
Office of the Deputy Under Secretary for Oceans and Atmosphere
Washington, D.C. 20230

June 25, 2012

MEMORANDUM TO: Line Office Assistant Administrators and Corporate Office Directors

FROM: Jon P. Alexander
Acting NOAA Chief Financial Officer

SUBJECT: Conferences and Group Travel
Policy Memorandum 12-02

Below is the conference and group travel guidelines based on the draft Departmental guidelines. Once the Department finalizes their policy we will update and reissue our policy accordingly.

Background:

On September 21, 2011, the Office of Management and Budget (OMB) issued Memorandum 11-35, "Eliminating Excess Conference Spending, and Promoting Efficiency in Government." In that memorandum, OMB instructed all agencies "to conduct a thorough review of the policies and controls associated with conference-related activities and expenses." In addition, Deputy Secretaries (or their equivalents) are required to review thoroughly the policies and management controls associated with conference-related activities and expenses in order to mitigate the risk of inappropriate spending.

OMB further expanded upon these efforts, with Memorandum 12-12, "Promoting Efficient Spending to Support Agency Operations," issued May 11, 2012 which, "outlines a series of new policies and practices for conference sponsorship, hosting, and attendance to ensure that Federal funds are used appropriately on these activities, and that agencies continue to reduce spending on conferences where practicable." The policies and practices require:

- Senior level review of all planned conferences
- Senior level approval of all future conference expenses in excess of $100,000
- Prohibiting expenses in excess of $500,000 on a single conference
- Reporting publicly on all conference expenses in excess of $100,000

In addition for fiscal year (FY) 2012, the Department of Commerce (DOC) received an appropriation provision requiring the Department to submit quarterly reports to the Inspector General on the costs and contracting procedures relating to conferences held by the agency during FY 2012 for which the cost to the Government was more than $20,000.

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Purpose:

The purpose of this policy memorandum is to provide guidance to Line and Staff Offices (L/SO) on conferences and to establish conference approval levels and reporting requirements.

Policy:

All Line and Staff Offices (L/SO) are required to obtain approval for all conferences. The approval levels for conferences are based on the following:

1. Conferences less than $20,000 need to be approved by the Deputy Assistant Administrator (DAA)/Staff Office Directors.
2. Conferences greater than $20,000, but less than $75,000 need to be approved by the DAA/Staff Office Directors and NOAA Chief Financial Officer (NCFO).
3. Conferences $75,000 or more need to be approved by the Deputy Under Secretary for Operations (DUS/O) and the Department.

When seeking approval for a conference, a complete "Conference Package" must be submitted through the NOAA Budget Office. The Conference Package consists of:

1. NOAA Conference Checklist
2. NOAA Conference Summary Spreadsheet for Planned Conferences ("Summary Spreadsheet")
3. NOAA Conference Detail Calculation Spreadsheet
4. Documents required for approval listed below as appropriate

DOCUMENTS REQUIRED FOR APPROVAL

The Conference Package must also include the following, as appropriate:

1. Record of approval from the Deputy Assistant Administrator/Staff Office Directors and, if required, NOAA Chief Financial Officer. L/SO approvals below the DAA and NCFO levels should also be included as part of the conference package.
2. Analysis supporting estimates for travel, meals, conference planner, and conference facility, etc. For example, for travel to a conference in Frankfurt attended primarily by NOAA staff in DC, the analysis might be the average airfare cost to Frankfurt times the number of attendees from Washington, DC. (templates are provided in Attachment 4)
3. Conference agenda or draft proposed conference agenda.
4. Discussion of special events such as receptions, meals, and average cost of the meals being proposed, if alcohol is being served, and how the alcohol is being paid for.
5. Contractor proposed pricing information (planning, facilities, speaker, or other conference related expenses) if it's available.
6. A breakdown of the employees (federal and non-federal) attending, and whether they are local or out of town.
7. Description of the location and facility, particularly if the location is a "resort" location and/or the facility is a "resort" facility. If either the location or facility would be considered "resort," explain why it was chosen.

8. NOAA Group Travel Request (if applicable – see Group Travel section below).
9. Any other information that would enhance the Approving Official's understanding of the event.

Preparation of the Conference Package helps to ensure that policies and procedures are being complied with in accordance with pertinent laws, regulations, and requirements. It also ensures that conference spending is appropriate and that proper controls are in place to mitigate the risk of inappropriate conference spending.

GROUP TRAVEL

Approval for groups of ten (10) or more employees on domestic travel and five (5) or more employees on foreign travel, including invitational travelers, regardless of whether or not NOAA is funding the travel, traveling to the same location or event, must be submitted to the DUS/O for review.

Requests for group travel must be submitted on a "NOAA Group Travel Request": http://www.corporateservices.noaa.gov/~finance/docs/NOAA%20Group%20Travel%20Request%20Template_08Jun2012.docx by the Line/Staff Office, Chief of Staff, (or equivalent point of contact) to the Executive Director to the Deputy Under Secretary via email. Each request will be reviewed, and possibly approved, by the DUS/O. Please visit the NOAA Travel website for more information on the group-travel approval process: http://www.corporateservices.noaa.gov/~finance/GROUP.html.

Assuming it meets the traveler levels stated above, a group travel request should be included in the conference approval process that exceeds $20K. For events that are outside the conference approval process, separate group travel requests must be submitted per the guidance above.

DEFINITION OF A CONFERENCE:

The DOC policy provides criteria for defining a conference:

1. The function is a meeting, retreat, seminar, symposium or event that involves federally funded attendee travel (non-local) [training activities that are considered to be conferences under 5 CFR 410.404 are also included in this definition] **AND**
2. Is sponsored by anyone – Department of Commerce, other Federal entity, or non-Federal entity **AND**
3. The Agency will expend funds without consideration of fees, revenue, or gifts. In calculating expenses:
    i. Do include all direct and indirect conference costs paid by the Government
    ii. Do include the cost of all travel (but not local travel)
    iii. Do not include funds paid under Federal grants to grantees
    iv. Do not include costs to ensure the safety of attending government officials.
4. Brings together a group of government employees **AND**

5. Includes two or more of the following "conference" indicators:
    a. The event has a brochure
    b. The event has a published/distributed agenda
    c. The event is marketed internally or externally
    d. Attendees register for it
    e. Is a widely gathered event
6. Federal Advisory Committee Act (FACA) meetings are not included in the definition of a conference.
7. Events that are fully funded by a grant are not included in the definition of a conference.

Please note that you should also submit information for any event—even if it does not fit the criteria above—if it may be sensitive in some way and/or could attract undesired media attention regardless of the amount of federal funds involved in the event.

DEPARTMENT LEVEL APPROVAL

Conferences of $75,000 or more require Department level approval, in addition to the NOAA approval levels outline above, based on the following approval levels:

1. **$75,000 to $100,000**

    a. Events with expenses that equal or exceed $75,000 but are less than $100,000, without consideration of fees, revenue, or gifts, require approval by the DOC Chief Financial Officer & Assistant Secretary for Administration (CFO/ASA).
        i. Bureau level approval is required prior to submission to the Office of the Secretary, CFO/ASA.

2. **$100,000 to $500,000**

Events with expenses that equal or exceed $100,000 without consideration of fees, revenue, or gifts, require approval by the Deputy Secretary of Commerce. Bureau level approval by a Deputy Under Secretary or Bureau Chief of Staff is required prior to submission to the Office of the Secretary.

3. **Over $500,000**

Events with net expenses that exceed $500,000 require approval by the Secretary of Commerce. Bureau level approval by a Deputy Under Secretary or Bureau Chief of Staff is required prior to submission to the Office of the Secretary.

CONFERENCE CO-SPONSORSHIP

You need to seek approval—according to the guidelines above—for a conference if NOAA is advertised to the public as a co-host or co-sponsor. Per Office of General Counsel (OGC) guidance, for an organization to be a co-sponsor of an event, they must have substantive involvement in the planning and execution of the conference.

CONFERENCE REPORTING

The NOAA Budget Office is the lead office for collecting conference-spending data that is reported by the L/SO to the Department. In addition, the Financial Policy and Compliance Division (FPCD)/NOAA Finance Office are leading the data validation process for the quarterly submissions. FPCD approach includes selecting samples, requesting and reviewing the supporting documentation, and validating the reported conference spending. **L/SO with conferences totaling support over $20K are required to submit their reports monthly to the NOAA Budget Office to allow the conference data to be reviewed by the NOAA Senior Assessment Team (SAT).** Conference information is required to be reported when:

1. A sponsored conference costs exceed $20,000;
2. Co-sponsored conference with a non-Government entity, where the L/SOs contribution exceeded $20,000; and/or
3. Co-sponsored conference with another Federal entity where the total cost of the Federal contribution exceeded $20,000.

Monthly data calls by the NOAA Budget Office will be issued to the L/SO with instructions on reporting conference information. For all conferences, completion of a spreadsheet providing details on conference travelers and a copy of all other pertinent contract information is required to support conference costs. Copies of the travel vouchers are not required with the worksheet submission, but may be requested later if selected by the NOAA SAT for review. Reported conference information is subject to an Office of Inspector General audit and review.

If you have any questions on this matter, please contact Stephen L. Smith by telephone at 202-482-3939 or by e-mail at stephen.l.smith@noaa.gov.

Cc: Stephen L Smith, NOAA Budget Office

ATTACHMENTS

1. NOAA Conference Checklist
2. NOAA Conference Summary Spreadsheet for Planned Conferences ("Summary Spreadsheet")
3. NOAA Conference Detail Calculation Spreadsheet
4. NOAA Conference Travelers and Travel Cost Estimates Worksheet

NOAA CONFERENCE PLANNING CHECKLIST

	YES	NO	N/A
CONFERENCE FUNDS AVAILABILITY			
Practice fiscal prudence and ensure availability of funds from individual bureau appropriations or funds when deciding to host any event, whether it is a conference or predominantly internal event, or to send employees to attend an event.			
CONFERENCE PLANNING AND SPENDING			
Obtain the Line Office Deputy Assistant Administrator/Staff Office Director and NOAA CFOs approval in writing of each conference that the Federal Government costs (the Department's costs plus any other Federal entity(s) costs) exceeds $20,000, including those conferences that the Department is not sponsoring or co-sponsoring, but rather, only contributing to another entity's conference.			
Obtain Deputy Under Secretary of Operations (DUS/O) and Department's CFO approval in writing of each conference that the Federal Government costs (the Department's costs plus any other Federal entity(s) costs) exceeds $75,000 including those conferences that the Department is not sponsoring or co-sponsoring, but rather, only contributing to another entity's conference. For each conference requiring the DUS/O and Department's CFO approval, the L/SO shall submit a package of information and supporting documentation regarding the conference. (See Policy Memorandum 12-2 for required information.)			
Comply with the specific requirements for conference planning contained in the Federal Travel Regulations (FTR), Chapter 301, *Temporary Duty (TDY) Travel Allowances*, Part 301-74, *Conference Planning*.			
Review the FTR suggested procedural guidance on conference planning in Chapter 301, Appendix E, *Suggested Guidance for Conference Planning*.			
Comply with applicable Departmental acquisition regulations and FAR for procurement of conference venue, conference planners, and any other procurement regarding the conference that is applicable to OAM and FAR requirements, which can be found at http://www.osec.doc.gov/oam/acquistion_management/policy/default.htm and include the following: · Commerce Acquisition Directives · Commerce Acquisition Manual · Procurement Memoranda · Federal Acquisition Regulation · Commerce Acquisition Regulations			
Comply with applicable NOAA and DOC travel regulations, FTR, and the NOAA and DOC Travel Handbook for conference travel, lodging, food, and any other costs that are applicable to NOAA/DOC travel regulations and FTR requirements, including the following, which can be found at http://www.osec.doc.gov/oas/OCS/Travel_Regulations.html and include: FTR, Chapter 301, *Temporary Duty (TDY) Travel Allowances*, which governs Executive branch policies for travel by Federal civilian employees and others authorized to travel at the Government's expense. These regulations are intended to ensure that official travel is conducted in a responsible manner. All travel paid for by the Department must comply with the FTR.			
Comply with any other pertinent laws, regulations, requirements, policies and procedures, etc., that are not set forth in the Conference Policies and Procedures document, and that are also applicable to the bureau, program, organization, appropriation or fund, etc. that is sponsoring or cosponsoring the conference or incurring the Government costs for the conference.			
When planning a conference, at a minimum, L/SOs must: a. Consider and minimize all direct and indirect conference costs, including administrative costs; conference registration fees; conference attendees' travel costs, including the use of audit-video conferencing in lieu of travel when possible (this is strongly encouraged); and conference attendees' time cost. Per FTR, examples of such costs include: (a) Authorized travel and per diem expenses; (b) Hire of rooms for official business; (c) Audiovisual and other equipment usage; (d) Computer and telephone access fees; (e) Light refreshments; (f) Printing; (g) Registration fees; (h) Ground transportation; and (i) Employees' time at the conference and on en route travel; b. Maximize the use of Government-owned or Government-provided conference facilities as much as possible;			

NOAA CONFERENCE PLANNING CHECKLIST

	YES	NO	N/A
c. Review the list of government-wide conference facilities available at no cost for a) location; and b) availability for the conference (this review is a Departmental requirement). The government-wide list available at this time is maintained by the Department of Justice, which plans to have the list posted on OMB's MAX website – at such time, the web link will be provided;			
d. Identify opportunities to reduce costs in selecting a particular conference location and facility (e.g., through the availability of lower rates during the off-season at a site with seasonal rates);			
e. Avoid locations and accommodations that give the appearance of being lavish or are resort destinations;			
f. When contracting for lodging, ensure that the conference-lodging rate does not exceed 25 percent above the applicable locality lodging per diem rate (see NOAA Travel Advisory 12-1, "Actual Expenses" for more information http://www.corporateservices.noaa.gov/finance/documents/TR_12_1.pdf)			
g. For a Government sponsored conference, the approval authority for conference lodging is the Departmental bureau/entity sponsoring the conference, and the conference lodging allowance applies to all Government attendees. If a Departmental			
h. When reimbursing NOAA attendees for meals costs, ensure the costs of meals are within the prescribed per diem limits;			
i. Ensure that NOAA attendees do not claim per diem for meals provided as part of the conference;			
j. Ensure that multiple facilities in multiple cities are compared when considering conference locations; unless an overriding operational reason is documented to hold the conference in a specific city; and			
k. Minimize use of external conference planners.			
ADDITIONAL CONFERENCE VENUE POLICIES AND PROCEDURES			
An event location is comprised of two variables: the city, and, the facility in which the event takes place. To ensure that the Government obtains the best conference location for the best value, conference planners must compare multiple facilities in multiple cities, unless an overriding operational reason is documented to hold the conference in a specific city. Adequate cost comparisons should compare and document the availability of lodging rooms at per diem rates, the convenience of the conference location, availability of meeting space, equipment and supplies, and the commuting or travel distance of attendees. Conference planners shall first consider all Federal facilities in the locations identified via city-level cost comparison analysis. If a Federal facility meets the needs of the bureau at a reasonable price, there is no requirement that non-Federal facilities be considered.			
Utilize the following GSA conference planning tools, as required, as the tools simplify the planning process and produce the required documents to support the conference site selection: · GSA's "Group Travel Planning" tool http://www.gsa.gov/portal/content/122867 · GSA's "FedRooms Groups and Meetings" tool http://www.gsa.gov/portal/content/105397 The use of FedRooms properties is required to be considered in the selection process, but the results are not mandatory, as other properties may offer better rates for conferences.			
For Government employees: Adhere to governmental requirements regarding "food," which is taken to include meals, snacks, and refreshments. The Comptroller General of the United States has consistently held that, absent specific statutory authority, the Government may not pay subsistence expenses or furnish free meals to civilian employees at their official duty stations. If employees are on official travel, away from their duty station, they are entitled to travel and subsistence costs consistent with the amounts prescribed under FTR. See FTR, Chapter 301, *Temporary Duty (TDY) Travel Allowances*, Part 301-11, *Per Diem Expenses*. Meals may be provided to Government employees during a conference attended while on travel orders, as a convenience to the employees; however, the employees' Meals and Incidentals Expense (M&IE) must be adjusted for meals provided to the employees by following the method in FTR, Chapter 301, Part 301-11.18, *What M&IE rate will I receive if a meal(s) is furnished by the Government or is included in the registration fee?*			
For Non-Government employees: Adhere to governmental requirements regarding "food," which is taken to include meals, snacks, and refreshments. The Department of Justice's Office of Legal Counsel (OLC) has opined that agency-sponsored conferences are "meetings" for purposes of 31 U.S.C. Sec. 1345, and that light refreshments and meals at such meetings, constitute "subsistence expenses," and are therefore prohibited. Because Executive Agencies are bound by the opinions of OLC, DOC bureaus cannot use appropriated funds to purchase food for conference attendees. An agency may have food available at its conference by entering into a no-cost contract with a conference planner who can collect registration fees from participants, as a personal convenience to the participants, to cover the expense of the food. In addition, if the event is being held with a non-profit partner, the non-profit partner may provide food as part of its contribution to the event.			

NOAA CONFERENCE PLANNING CHECKLIST

	YES	NO	N/A
Non-Government employees on invitational travel, *i.e.* , those providing a direct service to the Government, are also entitled to travel and subsistence costs consistent with the amounts under FTR. See FTR, Chapter 301, *Temporary Duty (TDY) Travel Allowances* , Part 301-11, *Per Diem Expenses* . Meals may be provided to non-Federal attendees during a conference attended while on invitational travel orders, as a convenience; however, the individual's Meals and Incidentals Expense (M&IE) must be adjusted accordingly.			
ADDITIONAL CONSIDERATIONS – GOVERNMENT EMPLOYEES			
Training:			
The meal is necessary to achieve the objectives of the training program.			
Training must constitute a course of study under the statute.			
Provision of food is necessary for the employee(s) to obtain the full benefit of the training (i.e. the training is longer than half a day and something substantive taking place at the same time the meal is being served).			
Conference/Meetings:			
The meals and refreshments are incidental to the meeting or conference.			
Attendance at the meal or when refreshments are served is necessary to obtain the full benefit of the conference.			
The meals and refreshments are part of a formal conference or meeting that includes not just the meals and refreshments, but substantial functions separate from when the food is served.			
Meeting is related to the purpose for which the agency's appropriation was made (not purely internal business meetings).			
Travel Status:			
Employee(s) are on official travel, away from their duty station.			
Employee(s) Meals and Incidentals Expense (M&IE) are adjusted for meals provided to the employees.			
ADDITIONAL CONSIDERATIONS – NON-GOVERNMENT EMPLOYEES			
Enter into a no-cost contract, if possible, with a conference planner who can collect registration fees from participants, as a personal convenience to the participants, to cover the expense of the food.			
If event is being held with a non-profit partner, the non-profit partner is providing food as part of its contribution to the event.			
For Non-Government employees (on invitational travel only)			
Employee providing a direct service to the government.			
Individual(s) Meals and Incidentals Expense (M&IE) are adjusted for meals provided to the employees.			

Checklist Completed By: _____

Contact Information: _____