



## Memorandum

January 8, 2025

TO: THE HEADS OF HEALTH AND HUMAN SERVICES OPERATING AND STAFF DIVISIONS

FROM: Lisa Molyneux *LM*  
Acting Assistant Secretary for Financial Resources

SUBJECT: HHS Policy on Use of Appropriated Funds for Conferences and Meeting Space

### 1.1 General

It is the Department of Health and Human Services' (HHS) policy that all conferences and meetings that HHS is statutorily authorized to hold are carried out in accordance with all applicable laws and regulations; furthering HHS's missions, objectives, and policies; represent an efficient and effective use of taxpayer dollars appropriated for such purpose; and withstand public scrutiny. HHS's Operating Divisions (OPDIVs) and Staff Divisions (STAFFDIVs) must conduct business, including conferences and meetings, consistent with these tenets.

In addition to supporting Executive Order 13589, Promoting Efficient Spending; Executive Order 13576, Delivering an Efficient, Effective, and Accountable Government; OMB Memorandum M-12-12, Promoting Efficient Spending to Support Agency Operations; and OMB Memorandum M-17-08, Amending OMB Memorandum M-12-12, Promoting Efficient Spending to Support Agency Operations, this policy addresses the requirements in 21<sup>st</sup> Century Cures Act, Section 3074. Unless expressly authorized in appropriations act language or statute, appropriated funds may not be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M-12-12 dated May 11, 2012 or any subsequent revisions to that memorandum.

This policy is also in addition to the requirements and procedures set forth in the following policies/regulations, or any updates thereto:

- HHS Travel [Manual](#)
- Federal Travel Regulation, 41 CFR, Chapters 300 through 304
- [Memorandum](#) from the General Counsel "Agency Gift Acceptance Authorities and the Co-Sponsorship of Events with Outside Non-Federal Entities," August 2002

OPDIVs and STAFFDIVs have strengthened internal controls since the issuance of OMB Memorandum M-12-12 and should continue to focus on oversight of expenses related to conferences to eliminate wasteful spending and exercise discretion to ensure conference expenses are appropriate, necessary, and compliant with applicable laws and policies. OPDIVs and STAFFDIVs are encouraged to limit representation to the minimum number of attendees determined by a senior official necessary to accomplish the agency's mission. Agencies should develop and implement conference guidance tailored to their mission needs and risks, while ensuring compliance with applicable laws and policies, to enhance their ability to achieve their missions.

There are numerous federal acquisition, fiscal, and ethics laws and regulations that apply to the issues raised by conferences in which the federal government participates. The Office of Government Ethics (OGE) provides a selection of ethics laws and regulations and their interpretation. A link to the guide "A Collection of Federal Resources Relating to Conferences" can be found on the OGE [website](#).

Additionally, OPDIVs and STAFFDIVs must conduct meetings in space controlled by the federal government whenever practicable and cost-effective. Therefore, OPDIVs and STAFFDIVs shall establish internal policies and procedures to approve the obligation of funds for non-federal meeting space. 41 CFR Part 301-74.14, Federal Travel Regulation (FTR) System, states that “for each conference [an agency] sponsor[s] or fund[s], in whole or in part for 30 or more attendees, [the agency] must maintain a record of the cost of each alternative conference site considered. [The agency] must consider at least three sites.” The following website provides information about meeting space available in federal facilities: <https://www.gsa.gov/policy-regulations/policy/real-property-policy/federal-meeting-facilities>.

OPDIVs and STAFFDIVs should exclude allowable travel costs charged to grant funds when determining the cost of an HHS conference unless those costs are funded outside of the grant.<sup>1</sup>”

## 1.2 Definitions

The following definitions apply:

### A. Conference

OMB Memorandum M-12-12 defines, and HHS employs, the following definition of the term “conference” from the FTR:

“A meeting, retreat, seminar, symposium, or event that involves attendee travel. The term ‘conference’ also applies to training activities that are considered to be conferences under 5 CFR 410.404.”

This term is clarified, based on the common dictionary meanings of a conference, seminar, and symposium, as follows:

- Conference: a formal meeting in which two or more people gather to talk about ideas or problems related to a particular topic (such as medicine or business) usually for several days, or a formal meeting in which people talk about a common concern.
- Symposium: a formal meeting at which experts discuss a particular topic.
- Seminar: a meeting for giving and discussing information.

Therefore, any meeting or conference that falls within the plain meaning of the terms “conference,” “symposium,” and “seminar”, and training activities that are considered conferences under 5 CFR 410.404, are considered conferences for the purposes of this policy.

Attendee travel includes federal participants on official travel as defined in the FTR and non-federal participants whose travel is funded by HHS. For the purposes of this policy, attendee travel excludes local travel (official travel within a 50-mile radius of the employee's official assigned duty station that is performed within one day and does not require any air, rail, or lodging expenses).

OMB M-12-12 also notes that the term ‘conference’ applies to training activities described by 5 CFR 410.404 which states that “agencies may sponsor an employee’s attendance at a conference as a developmental assignment under section 4110 of title 5, United States Code, when: (a) The announced purpose of the conference is educational or instructional; (b) More than half of the time is scheduled for a planned, organized exchange of information between presenters and audience which meets the definition of training in section 4101 of title 5, United States Code; (c) The content of the conference is necessary to improving individual and/or organizational performance, and (d) Development benefits will be derived through the employee’s attendance.”

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<sup>1</sup> OMB Memorandum M-17-08, footnote 2

For the purposes of this policy, this includes travel in conjunction with educational activities to become proficient or qualified in one or more areas of responsibility.

A list of typical HHS meetings and events that are not considered conferences, and thus outside the scope of this policy, is set out below. The meetings and events set out in the list below, are exempt from the request and approval (Exhibit 4) and reporting (Section 1.4) requirements of this policy. OPDIVs and STAFFDIVs must use caution and apply a strict interpretation in determining which meetings and events are not conferences to ensure compliance with M-12-12 and successor memoranda.

#### B. Scientific Meeting

For the purposes of this policy, a scientific meeting is defined as a conference that is “attended by scientific or medical personnel, or other professionals, of the Department of Health and Human Services, for whom attendance at such meeting is directly related to their professional duties and the mission of the Department.”<sup>2</sup>

Scientific meetings are subject to certain legal requirements set forth in section 3074 of the 21<sup>st</sup> Century Cures Act, which imposes reporting requirements specifically for scientific meetings, and OMB Memorandum M-12-12, as amended by OMB M-17-08, imposes certain approval and reporting requirements for conferences and meetings hosted and funded by federal executive branch agencies.

#### C. Virtual Attendance

Virtual attendance is attendance at a conference or meeting whereby participation is achieved solely by electronic means such as video meetings, webinars, webchat, or internet transmission, and includes no federally funded travel expenses. OPDIVs and STAFFDIVs are encouraged to seek opportunities to reduce costs through virtual attendance at conferences.<sup>3</sup>

#### D. Conference Expense

As defined in OMB M-12-12, conference expenses are “all direct and indirect conference costs paid by the Government, whether paid directly by agencies or reimbursed by agencies to travelers or others associated with the conference, but do not include funds paid under Federal grants to grantees. Conference expenses include any associated authorized travel and per diem expenses, hire of rooms for official business, audiovisual use, registration fees, ground transportation, and other expenses as defined by the FTR. All outlays for conference preparation and planning should be included, but the Federal employee time for conference preparation should not be included. Conference expenses should be net of any fees or revenue received by the agency through the conference and should not include costs to ensure the safety of attending governmental officials”.

Based on and in addition to the expenses outlined by OMB, this policy provides a list of expenses that are required to be included in the estimated and reported conference costs. OPDIVs and STAFFDIVs must use the appropriate funding mechanism (i.e., a contract, grant, or cooperative agreement) when carrying out a conference activity authorized by law. Agencies may not use a grant or contract for the purpose of defraying the costs of an HHS conference unless such conference is directly and programmatically related to the purpose for which the grant or contract is to be awarded. A conference contractor or grantee cannot be hired to do indirectly what the agency cannot do directly.

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<sup>2</sup> [Public Law 114-255, Section 3074](#)

<sup>3</sup> Virtual attendance does not mean that there are not conference expenses (e.g. registration fees) that are otherwise reportable under this policy.

## E. Travel Expense

The FTR defines official travel as “travel under an official travel authorization from an employee’s official station or other authorized point of departure to a temporary duty location and return from a temporary duty location, between two temporary duty locations, or relocation at the direction of a Federal agency.” Travel authorization (orders) is written permission to travel on official business. Note that conference approval does not constitute authorization to travel.

## F. Funds

The term “funds” as used herein, refers to all HHS appropriations, regardless of whether such appropriations are annual, multiple year, or no year, and regardless of whether they are provided in an annual appropriations act or a permanent law. The term “HHS appropriations” includes all amounts appropriated by law, regardless of whether the funds are derived from the General Fund of the US Treasury, authorized user fees, gift funds, amounts transferred from another appropriation; or reimbursements that HHS has statutory authority to retain to the credit of an HHS appropriation.

## G. Co-sponsorship

Co-sponsorship is the joint development of a conference, seminar, symposium, educational program, public information campaign, or similar event related to the mission of HHS, by an OPDIV/STAFFDIV and one or more non-federal entities that share a mutual interest in the subject matter and , participate in the development of the substantive aspects of the event.

## H. Host

The term “host” as used herein, refers to the entity responsible for planning, organizing, and managing an event, or the act of doing so. An HHS hosted event is one whereby HHS has statutory authority and an available appropriation and is responsible for planning, funding, and leading the conference.

## 1.3 Approval Requirements

HHS OPDIVs and STAFFDIVs shall designate representatives to lead and coordinate the approval and reporting requirements of this policy within their office. Representative names shall be provided to the Office of the Assistant Secretary for Financial Resources (ASFR), Office of Acquisitions (OA), at [HHSConferencePolicy@hhs.gov](mailto:HHSConferencePolicy@hhs.gov). Approval requirements must be met according to thresholds, prior to the obligation of funds. Approvals are not required for scientific meetings as defined in Section 1.2.

### A. Operating Divisions

OPDIVs may use standard document routing tools to process conference requests and facilitate reporting. The following preapproval thresholds apply to conferences to be hosted by the OPDIV, or sponsored by the OPDIV (e.g., through funding or a grant, cooperative agreement, interagency agreement, or co-sponsorship agreement):

- Estimated spending of \$500,000 or less: approval by an OPDIV designated representative or representatives.
- Estimated spending of greater than \$500,000: approval by an OPDIV designated official, followed by approval by a designated Department Official within the Office of the Secretary, who shall note that the expense is the most cost-effective option to achieving a compelling purpose (the basis for such approval must be documented in writing by the approving official).

### B. Staff Divisions

It is the Department's policy to aggregate costs for the same conference across all Office of the Secretary (OS) STAFFDIVs. Therefore, all STAFFDIVs must submit their costs, other than travel, for each conference hosted or sponsored to [HHSConferencePolicy@hhs.gov](mailto:HHSConferencePolicy@hhs.gov) so that ASFR can facilitate the request and approval process for conferences. The following preapproval thresholds apply to conferences to be hosted directly by the STAFFDIV, sponsored by the STAFFDIV (e.g., through a grant, agreement, etc.), or attended by STAFFDIV staff (e.g., conferences hosted by an OPDIV, another federal agency, or a non-federal organization):

- Estimated spending of \$500,000 or less in aggregate (per or across STAFFDIVs): approval by the STAFFDIV Head whose agency has the largest dollar expenses associated with the conference. The STAFFDIV must note that the expense is the most cost-effective option to achieving a compelling purpose (the basis for such approval must be documented in writing by the approving official).
- Estimated spending of greater than \$500,000 (per or across STAFFDIVs): approval by the STAFFDIV designated official, followed by approval by a designated Department Official within the Office of the Secretary, who shall note that the expense is the most cost-effective option to achieving a compelling purpose (the basis for such approval must be documented in writing by the approving official).

#### **1.4 Reporting Requirements**

OPDIVs and STAFFDIVs must comply with the following recurring and annual reporting requirements:

##### **A. OIG Quarterly Report for Conferences Greater than \$20,000**

OPDIVs and STAFFDIVs are required to submit a report on each conference they hosted, or where their employees attended a conference, where expenses to the United States Government exceeded \$20,000. This report is due within 15 (calendar) days after the end of each quarter; therefore, and to follow a consistent reporting cycle, using the template in Exhibit 3 of this policy. OPDIVs and STAFFDIVs are required to copy the Office of the Assistant Secretary for Financial Resources (ASFR), Office of Acquisitions (OA), at [HHSConferencePolicy@hhs.gov](mailto:HHSConferencePolicy@hhs.gov) when submitting their reports to the Office of the Inspector General (OIG).

##### **B. OIG Annual Report for Conferences Greater than \$100,000**

Annual reports must be submitted to the OIG regarding the costs and contracting procedures related to each conference hosted by HHS during each fiscal year where costs exceeded \$100,000, using the template in Exhibit 3 of this policy. The reporting process is as follows:

- OPDIVs: By January 31<sup>st</sup>, each OPDIV must submit a report on conferences held in the previous fiscal year directly to the OIG (at [OIGConferencereports@oig.hhs.gov](mailto:OIGConferencereports@oig.hhs.gov)) for all conferences hosted where costs exceeded \$100,000, inclusive of required information shown in this policy. OPDIVs are required to copy the Office of the Assistant Secretary for Financial Resources (ASFR), Office of Acquisitions (OA), at [HHSConferencePolicy@hhs.gov](mailto:HHSConferencePolicy@hhs.gov) when submitting their reports to the Office of the Inspector General (OIG).
- STAFFDIVs: ASFR will consolidate information from approved conferences, validate the data with STAFFDIV designated representative(s) to include the most accurate information possible for costs and attendance levels, develop the report for the Office of the Secretary, and submit its report directly to the OIG.

##### **C. M-17-08 Annual Report for Conferences Greater than \$100,000**

OMB Memorandum M-17-08 requires agencies to publicly report, by January 31<sup>st</sup> of each year, all conferences hosted by the agency during the previous fiscal year where the net expenses exceeded \$100,000. Beginning with the fiscal year 2024 report, the reporting process will be as follows:

- OPDIVs: By January 31st of each year, OPDIVs shall publish a Section 508 compliant report on its website inclusive of all conferences hosted in the previous fiscal year where costs exceeded \$100,000. The OPDIV reports must include information required in this policy and reflect the most accurate data possible for costs and attendance levels. Additionally, the OPDIV reports must include a narrative report that includes information about the net conference expenses for the fiscal year incurred by the agency as well as a general report about conference activities throughout the year. For any conferences where the net expenses exceeded \$500,000, a description of the exceptional circumstances for exceeding that amount must be provided as part of the report. A link to the report must be provided to the Office of the Assistant Secretary for Financial Resources (ASFR), Office of Acquisitions (OA), at [HHSConferencePolicy@hhs.gov](mailto:HHSConferencePolicy@hhs.gov), which will be provided to the HHS Web Team for inclusion on the HHS website.
- STAFFDIVs: ASFR will consolidate information from approved conferences, validate the data with STAFFDIV designated representative(s) to include the most accurate information possible for costs and attendance levels, develop the report on behalf of the Office of the Secretary, and publish the report on the HHS website.

#### D. 21<sup>st</sup> Century Cures Act Report for Scientific Meetings

- OPDIVs and STAFFDIVs are required to post a report on their website within 90 days after the end of the fiscal year for all scientific meetings hosted and/or attended throughout the year. Additional reporting requirements exist for all such scientific meetings hosted and/or attended where the total net expenses exceeded \$30,000 and for any scientific meetings where the net expenses exceeded \$150,000, a description of the exceptional circumstances for exceeding that amount must be provided as part of the report. The reports must include information required in this policy (Exhibit 2) and reflect the most accurate data possible for costs and attendance levels. A link to the report must be provided to the Office of the Assistant Secretary for Financial Resources (ASFR), Office of Acquisitions (OA), at [HHSConferencePolicy@hhs.gov](mailto:HHSConferencePolicy@hhs.gov) which will be provided to the HHS Web Team for inclusion on the HHS website.

### 1.5 Collection and Use of Conference Fees

Agencies must have statutory authority to charge a fee to individuals attending an HHS hosted conference or meeting. Furthermore, if an OPDIV or STAFFDIV has statutory authority to assess an attendance fee, the amounts collected may not be retained to the credit of its appropriations unless specifically authorized by law, and amounts authorized to be retained may not be used by the OPDIV or STAFFDIV unless, or until, such amounts are appropriated by Congress. An appropriation establishes a maximum authorized program level, meaning that an agency, absent statutory authorization, cannot operate beyond the level that can be paid for by its appropriations. An agency may not circumvent these limitations by augmenting its appropriations from sources outside the government unless Congress has so authorized the agency.

### 1.6 Contractor and Grantee Support for Conferences

An agency may only award conference grants when it has underlying statutory authority to do so .. The principal purpose of any such award must be to support a public purpose, not for the direct benefit or use of the federal government.

### 1.7 Co-Sponsor Support for Conferences

Co-sponsors may not contribute funding, logistical services, or other material support for an event without participating in the development of the substantive aspects of the event Any co-sponsorship must be documented in writing well in advance of an event unless there are exceptional circumstances, with clear roles

and responsibilities of each party, and agencies must use caution to avoid the appearance of undue influence, preferential treatment, or conflicts of interest, as a result of engagement with prohibited sources.

Any registration fees charged to attendees by the co-sponsor may not exceed the co-sponsor's actual costs for the event. Co-sponsored events shall not be developed by a co-sponsor to be a profit making endeavor, and agencies may not co-sponsor an event that is primarily devoted to selling or promoting a co-sponsor's products or services. Co-sponsorship may not take the form, actual or implied, of augmentation of appropriation. See "[Memorandum](#) from the General Counsel "Agency Gift Acceptance Authorities and the Co-Sponsorship of Events with Outside Non-Federal Entities."

### **1.8 Food and Beverage**

Appropriations are not available for the purchase of food or beverages, and as such, food may not be paid for directly or through registration fees for HHS funded conferences and training, including co-sponsored events.

### **1.9 Promotional Items**

Generally, OPDIVs and STAFFDIVs are prohibited from using appropriated funds, including gift funds, to purchase promotional items. These items may include, but are not limited to pens, mugs, lanyards, clothing, conference bags, and commemorative items. Promotional items are generally considered personal gifts for which appropriated funds may not be expended unless they are determined essential to the achievement of an authorized purpose..

### **1.10 Non-Federal Attendee Travel Restrictions**

OPDIVs and STAFFDIVs shall abide by the statutory prohibition on using appropriations to pay for travel, transportation, and subsistence expenses for non-federal employees for a conference or meeting. Specifically, 31 U.S.C. § 1345 "states that "except as specifically provided by law, an appropriation may not be used for [non-Federal employee] travel, transportation, and subsistence expenses for a meeting." Therefore, HHS appropriations are not legally available to pay these expenses of HHS conference and meeting attendees who are not HHS federal employees on official government travel, except as expressly authorized by law. Statutory exceptions to this statutory prohibition are set forth below.

#### **A. HHS Program Statute**

HHS program statutes that authorize hosting a conference or meeting may include a provision that expressly authorizes the Department to pay for travel, transportation, and subsistence expenses of non-federal employee attendees. This statutory authority must be specific (e.g., general training and technical assistance authorities are not enough).

#### **B. Invitational Travel Statute**

5 U.S.C. § 5703, states that "An employee serving intermittently in the Government service as an expert or consultant and paid on a daily when-actually-employed basis, or serving without pay or at \$1 a year, may be allowed travel or transportation expenses, under this subchapter, while away from his home or regular place of business and at the place of employment or service." This statute permits agencies to procure the services of an individual expert or consultant as a temporary employee of the Government. Should that temporary employee need to be placed on official travel orders to provide services to the government, the temporary employee is entitled to allowed travel expenses as authorized under the Federal Travel Regulation.



## Exhibit 1: Conference Spending Provisions of the HHS Appropriations Acts

The following requirements were provided in Section 738 of the Consolidated Appropriations Act, 2024, and are expected to continue and be enforced in subsequent Fiscal Years:

*“(a) The head of any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act shall submit annual reports to the Inspector General or senior ethics official for any entity without an Inspector General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2023 for which the cost to the United States Government was more than \$100,000.*

*(b) Each report submitted shall include, for each conference described in subsection (a) held during the applicable period—*

- (1) a description of its purpose;*
- (2) the number of participants attending;*
- (3) a detailed statement of the costs to the United States Government, including—(A) the cost of any food or beverages; (B) the cost of any audio-visual services; (C) the cost of employee or contractor travel to and from the conference; and (D) a discussion of the methodology used to determine which costs relate to the conference; and*
- (4) a description of the contracting procedures used including—(A) whether contracts were awarded on a competitive basis; and (B) a discussion of any cost comparison conducted by the departmental component or office in evaluating potential contractors for the conference.*

*(c) Within 15 days after the end of a quarter, the head of any such department, agency, board, commission, or office shall notify the Inspector General or senior ethics official for any entity without an Inspector General, of the date, location, and number of employees attending a conference held by any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act during fiscal year 2023 for which the cost to the United States Government was more than \$20,000.*

*(d) A grant or contract funded by amounts appropriated by this or any other appropriations Act may not be used for the purpose of defraying the costs of a conference described in subsection (c) that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.*

*(e) None of the funds made available in this or any other appropriations Act may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M-12-12 dated May 11, 2012 or any subsequent revisions to that memorandum.”*

The following outlines the policy implications of these provisions:

- Subsections (a) and (b) require annual reporting requirements, which are addressed in Section 1.4.B of this policy;
- Subsection (c) requires ongoing reporting as described in Section 1.4.A and Exhibit 3 of this policy;
- Subsection (d) reminds OPDIVs and STAFFDIVs that agencies may not use a grant or contract for the purpose of defraying the costs of an HHS conference unless such conference is directly and programmatically related to the purpose for which the grant or contract was awarded; and
- Subsection (e) restricts the use of funds appropriated in the FY24 HHS Appropriations Acts or any other appropriations act for travel and conference activities unless they are consistent with OMB Memorandum M-12-12, as amended by M-17-08, and thus makes it an Antideficiency Act (ADA) violation to use any HHS funds for travel and conferences that are inconsistent with OMB Memorandum M-12-12 as amended by M-17-08.



- Section 521 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2024, provides:
  - For purposes of carrying out Executive Order 13589, Office of Management and Budget Memorandum M-12-12 dated May 11, 2012, and requirements contained in the annual appropriations bills relating to conference attendance and expenditures:
    - the operating divisions of HHS shall be considered independent agencies; and
    - attendance at and support for scientific conferences shall be tabulated separately from and not included in agency totals.

## Exhibit 2: Reporting Requirements for Conferences

### A. OIG Quarterly Report for Conferences Greater than \$20,000

OPDIVs and STAFFDIVs are required to submit a report on each conference they hosted where expenses to the United States Government were greater than \$20,000. This report is due within 15 (calendar) days after each quarter; therefore, and to follow a consistent reporting cycle, the template found in Exhibit 3 must be used to submit quarterly reports on conferences hosted with costs greater than \$20,000 (Policy Section 1.4.A).

### B. OIG Annual Report for Conferences Greater than \$100,000

Annual reports must be submitted to the OIG regarding the costs and contracting procedures related to each conference hosted by HHS during each fiscal year where costs were greater than \$100,000. This report is due by January 31<sup>st</sup> following the end of the fiscal year. In developing the annual report to the OIG (Policy Section 1.4.B) the following information must be included for each conference included in the report:

- Name or title of the conference
- Location of the conference to include venue name, city, state or country
- Dates of the conference
- Description of the purpose of the conference, including an explanation of how it advanced the mission of the agency
- Total cost of conference expenses incurred by the OPDIV/STAFFDIV
- Discussion of the methodology used to determine which costs relate to the conference
- Detailed breakdown of costs to include:
  - cost of any food or beverages
  - cost of any audio-visual services
  - cost of any contractor support including contractor travel to and from the conference
  - cost of federal attendee travel to and from the conference
  - cost of non-federal attendee travel to and from the conference and authority to pay for non-federal attendee travel.
- Total number of attendees
- Detailed breakdown of attendees to include:
  - total number of federal attendees
  - total number of federal attendees with federally funded travel expenses
  - total number of non-federal attendees
  - total number of non-federal attendees with federally funded travel expenses
- Description of the contracting procedures used to include:
  - whether contracts were awarded on a competitive basis
  - any cost comparison conducted in evaluating potential contractors for the conference

Regarding the contracting procedures and cost comparison methods, the following standard descriptions are to be used in the reports:

#### Contracting Procedures:

1. Competed under Federal Supply Schedule Ordering Procedures of FAR 8.405
2. Competed under Simplified Acquisition Procedures of FAR Part 13
3. Full and Open Competition under FAR Part 15
4. Fair Opportunity under Multiple Award Contract, including previously competed strategic sources, under FAR 16.505(b)(1)
5. Full and Open Competition after exclusion of sources (Small Business Set Aside) under FAR Subpart 19.5
6. Other than Full and Open Competition based on circumstances under FAR 6.302

7. Solicited from a single source using Federal Supply Schedule ordering procedures under FAR 8.405-6
8. Solicited from a single source using simplified acquisitions under FAR 13.106-1(b) or 13.501
9. Exception to Fair Opportunity under FAR 16.505(b)(2)
10. 8(a) Directed Source under FAR Subpart 19.8
11. Exercise of Option under FAR 17.207
12. N/A - Conference was supported by a Grant, Cooperative Agreement, Interagency Agreement, or Co-sponsorship Agreement
13. N/A – Contractor support was not used

Cost Comparison Method:

1. Single Offer – cost/price analysis performed in accordance with FAR Part 13 or FAR Part 15 as applicable
  - Note – use this description if selecting 1 through 6 from the selection above and only one offer was received, or if selecting choices 7 through 10 above.
2. Best Value Comparison – multiple offers compared on combination of cost/price and technical factors, award based on best value continuum
  - Note – use this description if selecting choices 1 through 6 above and a best value source selection approach was used.
3. Lowest Price Technically Acceptable (LPTA) Comparison – multiple offers compared on combination of either cost or price and technical factors, award made to the technically acceptable offer at the lowest price
  - Note – use this description if selecting choices 1 through 6 above and a LPTA source selection approach was used
4. Determination that Option Exercise is the most advantageous method of fulfilling the Government's needs
  - Note – use this description if selecting choice 11 from the above listing
5. N/A – Conference was supported by a Grant, Cooperative Agreement, Interagency Agreement, or Co-sponsorship Agreement
  - Note – use this description if selecting choice 12 from the above listing
6. N/A – Conference was not supported by a contractor
  - Note – use this description if selecting choice 13 from the above listing

C. M-17-08 Annual Report for Conferences Greater than \$100,000

OMB Memorandum M-17-08 requires agencies to publicly report, by January 31<sup>st</sup> of each year, all conferences hosted by the agency during the previous fiscal year where the net expenses exceeded \$100,000 (Policy Section 1.4.C). The following information must be included for each conference included in the report:

OPDIV/STAFFDIV hosted or sponsored conferences with expenses greater than \$100,000:

- Name of the conference
- Total conference expenses incurred by the OPDIV/STAFFDIV
- Location of the conference
- Dates of the conference
- A brief explanation of how the conference advanced the mission of the agency
- Total number of individuals whose travel expenses or other conference related expenses were paid by the OPDIV/STAFFDIV

OPDIV/STAFFDIV hosted or sponsored conferences with expenses greater than \$500,000:

- In addition to the information required above, the report must include the rationale and approval of the designated agency official, specifically noting the expense is the most cost-effective option to achieving a compelling purpose (the basis for such approval must be documented in writing by the designated agency official).

D. 21<sup>st</sup> Century Cures Act Report for Scientific Meetings

The 21<sup>st</sup> Century Cures Act requires agencies to publicly report, within 90 days after the end of the fiscal year, all scientific meetings hosted, sponsored, or attended by the OPDIV/STAFFDIV during the previous fiscal year. The report shall include:

- General information concerning the scientific meeting activities involved; and
- Information concerning the total amount expended for such meetings

OPDIV/STAFFDIV hosted, sponsored, or attended conferences with expenses greater than \$30,000:

Where the net expenses exceeded \$30,000. The following information must be included for each conference included in the report:

OPDIV/STAFFDIV hosted, sponsored, or attended conferences with expenses greater than \$30,000:

- Name of the conference
- General description of the scientific meeting activities involved
- Total conference expenses incurred by the OPDIV/STAFFDIV
- Location of the conference
- Dates of the conference
- A brief explanation of how the conference advanced the mission of the agency
- Total number of individuals whose travel expenses or other conference related expenses were paid by the OPDIV/STAFFDIV

OPDIV/STAFFDIV hosted, sponsored, or attended conferences with expenses greater than \$150,000:

- In addition to the information required above, the report must include the rationale and approval of the designated agency official, specifically noting the expense is the most cost-effective option to achieving a compelling purpose (the basis for such approval must be documented in writing by the designated agency official).



# Memorandum

## Exhibit 3: Reporting Template

Operating or Staff Division Name: \_\_\_\_\_

Date: \_\_\_\_\_

Conference Title	Venue Name	City	State (or Country)	Start Date (dd/mm/yy)	End Date (dd/mm/yy)	Purpose of the Conference	Total Estimated Cost to HHS	Total Number of Conference Attendees	Total Number of Federal Attendees (Employees)	Total Number of Non-Federal Attendees (on Travel Reimbursed by HHS)

#### Exhibit 4: Typical Meetings and Events That Are Not Considered Conferences

In accordance with Section 1.2.A of the policy, the following meetings and events are not considered conferences and are exempt from the request and approval and reporting requirements of the policy. They are based on the travel purpose codes as outlined in Appendix C to Chapter 301 of the FTR. Therefore, any travel authorized for such meetings/events should apply the relevant codes (travel to conferences should be coded as: Conference - Other Than Training).

OPDIVs and STAFFDIVs are reminded to apply a strict interpretation of these exceptions and use caution when determining which meetings and events are not conferences to ensure compliance with conference policy. Further, agencies should consider elements of events that could create the appearance of a conference, and exercise careful judgment with any high-cost locations, resorts, or event costs that could reflect negatively on HHS.

##### Mission (Operational):

- Federal employee's day-to-day operational or managerial activities that may in certain instances involve limited travel.
- General staff meetings that are a daily or regular occurrence and within the normal course of business [that may in certain instances involve limited travel, inclusive of remote employees and dispersed teams convening for onsite meetings], such as a meeting that takes place bi-weekly to discuss the previous week's events and where certain employees from another region attend to weigh in on the specific topic.
- Hearings such as before governing oversight boards, appeals boards, courts, etc.
- Site and technical assistance visits of a specific site or series of sites to fulfill a specific program's oversight or assistance requirements.
- Inspections of a specific site or series of sites to fulfill a specific program's oversight requirements.
- Audits to fulfill a specific oversight or enforcement requirement.
- Investigations to fulfill a specific oversight or enforcement requirement.
- Examinations to fulfill a specific oversight or enforcement requirement.
- National / Federal Advisory Council meetings governed Federal Advisory Committee Act (FACA).
- Program review/kickoffs, if with a specific grantee or contractor regarding a specific program, grant, or contract.
- Peer review meetings if conducted to fulfill a statutory requirement to review grant application.
- Evaluation panel meetings if conducted to fulfill a regulatory requirement to evaluate contractor proposals.
- Solicitation / Funding Opportunity Announcement Review Board meetings between the awarding agency and only those individuals selected to serve on a particular review board.
  - Industry Days, pre-solicitation, and pre-proposal conferences, to the extent they involve official federal attendee travel, are considered conferences.
- Tribal Compact or Contract Negotiation meetings if held with one Tribe or Confederation of Tribes regarding that Tribe's specific compact or contract.
- Trade or Third-Party/International Negotiations regarding a specific agreement.
- Scientific meetings with a specific investigator or investigating team regarding a specific item, area of scientific inquiry, or public health need.

##### Special Agency Mission:

- Security missions conducted for specific, programmatic purposes.
- Emergency response/recovery such as civil, natural disasters, evacuation, catastrophic events, public health response.
- Technical assistance or regulatory oversight or monitoring meetings to fulfill a specific program's oversight, monitoring, or training requirements such as to send subject matter experts to state, local, and international sites to provide and share expertise in disease intervention, public health practices, research, etc.
- Evaluations such as to fulfill a specific program's oversight or monitoring requirement.
- Assessments such as to fulfill a specific program's oversight or monitoring requirement.

##### Training (Non-Conference):

- Classroom or instructor-based certification and/or job training of federal employees to become proficient or qualified in one or more areas of responsibility.
- Classroom or instructor-based certification and/or job training of federal employees to receive instruction or education, in scientific, professional, technical, mechanical, trade, clerical, fiscal, administrative, or other fields.