



## Department of Energy

Brookhaven Site Office

P.O. Box 5000

Upton, New York 11973

Mr. John Hauser  
Brookhaven Science Associates, LLC  
Brookhaven National Laboratory  
Upton, New York 11973-5000

OCT 14 2008

Dear Mr. Hauser:

**SUBJECT: GUIDANCE ON LABORATORY CONFERENCES**

The Department of Energy (DOE) has identified conferences as an area of risk and liability. The Office of Science (SC) in particular has stated that effective management of conferences is expected from the DOE site offices and the Laboratory Contractors. Ineffective management of conferences could damage the reputation of key programs and ultimately the accomplishment of SC's mission. In view of SC's concern, we request that Brookhaven Science Associates (BSA) continue to maintain diligence in ensuring adherence to the conference-related requirements found in the Prime Contract, Federal Travel Regulations (FTR), DOE Order 110.3A and other relevant guidance documents issued by elements within DOE.

As you are aware, the Office of Inspector General issued a report, dated May 22, 2008, entitled "Office of Science Laboratory Conferences" which highlighted a number of practices which were not consistent with Government guidance. In response, the SC Deputy Directors, Patricia Dehmer and George Malosh, have issued additional guidance which contained the following expectations regarding conferences:

1. Employees attending a conference in which the conference fee includes meals, unless an individual has special dietary restrictions that cannot be met by the conference organizers, must reduce the meal per diem charged to the contract (and thus the Government) for meals received.
2. If a laboratory contractor manages a conference for SC or any other Government client, the contractor must ensure compliance with the requirements of DOE Order 110.3A. In cases in which there is uncertainty in the reasonableness or allowability of costs, laboratories must obtain written approval from the appropriate contracting authority (i.e., Site Office) to proceed. As SC Program Offices do not have contracting authority, approval from science programs is not valid authorization.
3. If a laboratory contractor questions the direction or guidance they are receiving from any customer(s) related to conferences or workshops, they should contact their Site Office Manager directly. The Site Office will assist in determining the appropriate path forward.

In addition to the SC Deputy Director's guidance mentioned above, we are providing further guidance on the reasonableness for meals provided to conference attendees. We considered the FTR; the Federal Acquisition Regulations; and the Department of Justice Procurement Guidance Document 08-07, "Conference Planning, Conference Cost Reporting, and Approvals to Use Non-Federal Facilities," (enclosed) in the development of this guidance.

While many conference attendees are from academia or public companies, many are from governmental contractors. There is recognition that some attendees are not covered by the FTR; however, the funds expended for Department sponsored conferences are ultimately Government funds and appropriate management of funds is necessary. The following are established as reasonable limits for meals and light refreshments at conferences:

1. **Meals.** The cost of any meal provided, plus any hotel service costs, cannot exceed 150% of the locality meals and incidental expense (M&IE) per meal. For example, if dinner will be provided in a locality with a \$49.00/day M&IE rate, the dinner rate in the locality is \$24.00 per dinner. Therefore the cost of the dinner provided at the conference cannot exceed \$36.00 ( $\$24.00 \times 150\%$ ) per person. All Department and DOE contractor employees attending the conference must ensure that the provided meal is deducted from the claimed M&IE; in this example the employee would deduct \$24.00 from claimed M&IE for the provided dinner.
2. **Refreshments.** Refreshments include light food and drinks served at breaks, such as coffee, tea, milk, soft drinks, donuts, bagels, fruit, pretzels, cookies, chips or muffins. The cost of these items, plus any hotel service costs, cannot exceed 23% of the locality M&IE rate per person per day. For example, if the M&IE rate for a particular location is \$49.00 per person per day, then the total refreshment cost cannot exceed \$11.27 ( $\$49.00 \times 23\%$ ) per person per day.

Any exception to this guidance requires approval by the Contracting Officer. A detailed justification must accompany the request for exception. Please ensure that you develop, implement, and maintain a compliant and auditable conference management record-keeping system. Also, please ensure that all managers and administrators of BSA sponsored, or attended conferences are made aware of the expectations described in this letter.

If you have any questions, please contact John Meadows of my staff at extension 3430.

Sincerely,



Robert P. Gordon  
Business Management Division  
Contracting Officer

Enclosure:  
As stated

cc: C. Williams, SC-CH, w/encl.