UNDER SECRETARY OF DEFENSE
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COMPTROLLER

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MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
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ASSISTANT SECRETARIES OF DEFENSE
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DIRECTOR, OPERATIONAL TEST AND EVALUATION
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COMMANDER IN CHIEF, U.S. SPECIAL OPERATIONS COMMAND
COMMANDER IN CHIEF, U.S. TRANSPORTATION COMMAND
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Collection and Retention of Conference Fees from Non-Federal Sources

Section 1051 of the National Defense Authorization Act for Fiscal Year (FY) 2007 (Public Law 109-364) provided authority for the Secretary of Defense to collect fees from individuals and commercial participants attending Department of Defense (DoD) sponsored conferences, seminars, exhibits, symposiums, or similar meetings, and to credit those fees to agency appropriations or accounts which incurred the related conference costs. The purpose of this memorandum is to alert all DoD Components, agencies, and activities of the conference fee authority, and to provide preliminary implementation authority prior to formal inclusion in DoD budget guidance and in the DoD Financial Management Regulation (FMR).

Collection of conference fees into appropriations is subject to the general rules of appropriation reimbursements as well as specific rules stated in the Public Law 109-364. Components, agencies, and activities which collect conference fees into appropriations may not augment those appropriations. Accordingly, any fees collected which exceed actual conference costs must continue to be deposited into the Treasury as miscellaneous receipts. In addition, entities which collect and credit fees into their appropriations must have current reimbursable authority or, if not, must request reimbursable authority by

contacting their Office of the Under Secretary of Defense (Comptroller) (Program & Budget) (OUSD)(C)(P/B)) budget analyst for guidance. This memorandum does not authorize any appropriation authority or reimbursable authority not otherwise obtained through OUSD(C)(P/B) budget channels.

Section 1051 also requires annual reports relative to conferences and conference costs for purposes of annual budget justification. These reports must provide information on conferences conducted, estimated costs, actual costs, and fees collected. Specific guidance for the annual reporting will be included in an update to the FMR, Volume 2B, "Budget Formulation and Presentation," Chapter 19, "Other Special Analyses" during the third quarter, FY 2007.

Accounting for collections into appropriations is covered in the Treasury Financial Manual (TFM), Section III for Accounting Transactions. Collections of fees that exceed conference costs are required to be deposited into miscellaneous receipts accounts. Accounting for miscellaneous receipts are also covered in TFM Section III. Questions relating to proper accounting may be directed to your Defense Finance and Accounting Service Center point of contact.

Although Section 1051 now authorizes the retention of conference fees, all other Federal laws and regulations, to include Department of Defense regulations regarding conferences and conference planning services must continue to be followed as before. This includes the Federal Acquisition Regulation, the Department of Defense Federal Acquisition Regulation Supplement, and the Joint Ethics Regulation. There will be specific guidance on the planning and execution of conferences issued by the DoD Office of General Counsel.

My staff point of contact for this matter is Mr. Wayne Hudson, who may be contacted at (703) 697-8281, or by e-mail at wayne.hudson@osd.mil.

Tina W. Jonas