

INFORMATION PAPER**SUBJECT:** Army Conferences

BOTTOM LINE: On 14 October 2011, the DA issued AD 2011-20. The intent of the policy is to reduce overall DA conference costs. It is imperative all Army commands understand— and comply with— the Army’s new conference policy. For questions, contact your Office of the Staff Judge Advocate (OSJA) at (210) 221-0485.

DISCUSSION:

- Conferences Defined. Any meeting, retreat, seminar, symposium or event that involves attendee travel is a conference for purposes of AD 2011-20. Training activities pursuant to CFR § 410.404 are also “conferences,” as are regularly scheduled courses of instruction at an off-post hotel or conference center. However, regularly scheduled training courses held at a Government or commercial training facility are not conferences for purposes of AD 2011-20.
- Applicability. The conference policy applies to the Active Army, the Reserves, National Guard and those organizations for which the Secretary of the Army is the designated DoD Executive Agent and for which the Army funds their activities. However, the policy does not apply to conferences sponsored by Combatant Commands, such as NORTHCOM, even if a subordinate unit is tasked with sponsoring a conference for a Combatant Command. For example, NORTHCOM tasks ARNORTH with sponsoring the DSCA course, so the conference policy does not apply to the DSCA course.
- Request Procedure. All conference requests must be signed by a general officer or member of the Senior Executive Service and staffed through the CoC to the appropriate Approval Authority (see below). Submit the request NLT 90 days before the start date of the conference. If contractor support and/or facilities contracts are involved in the conference, the conference request must be approved before contract award. (For example, if a hotel contract is contemplated in connection with the conference, the conference request must be approved before contracting with the hotel.) Requests shall provide a breakdown of attendees, cost information, cost-benefit analysis, substantive agenda, security assessment and a legal review. The template included at Enclosure 3 to AD 2011-20 must be used for all requests.
- Conference Site Selection. Military and Government owned or provided facilities must be considered first. Efforts must be made to hold a conference at Government facilities, even if this involves adjusting the conference schedule, reducing the number of attendees or foregoing such luxuries as desired food and refreshment options. Seek commercial facilities only when necessary.
 - If a commercial facility is necessary, a minimum of three geographic sites should be evaluated and considered for conferences with more than thirty attendees in a TDY status before selection of any one site, unless an overriding operational reason exists for holding the conference in a specific city. Utilize a competitive site selection process. Factors for consideration in city and site selection are listed in enclosure 1 at page 4.
 - Follow local policies on site-selection and consider possible public perception issues.
- Cost and Ethics. Adhere to strict fiscal controls and minimize costs. The length of the conference should be only as long as necessary to obtain mission requirements. Limit attendees to the minimum necessary to accomplish conference objectives. Do not use appropriated funds

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(APFs) to purchase mementos for distribution to attendees. Generally, APFs and non-appropriated funds (NAFs) are not authorized to pay for light refreshments at Army-hosted conferences. Lodging and meals are not authorized for local attendees.

- Contracts. All contracts related to the conference must be signed by a warranted Contracting Officer (CO) or Government Purchase Cardholder (GPC). An unauthorized Government employee could be personally liable if he/she signs an agreement for conference facilities or conference support. The conference Approval Authority must approve a conference *before* obligation of funds (even with a GPC) and the award of a contract.
- Approval Authorities. There are two conference Approval Authorities: 1) the Administrative Assistant to the Secretary of the Army (AASA), and 2) commanders of Army commands, Army service component commands and direct reporting units.
 1. The AASA is the Approval Authority for conferences that either, 1) equal or exceed \$500,000 in **total cost**; or 2) are being held **“in conjunction with”** a **“non-Federal entity (NFE)”** unless the NFE is competitively awarded a contract to support the conference or the conference is held “in conjunction with” representatives from foreign governments or international organizations.
 - **Total cost** should be computed IAW Enclosure 3 to AD 2011-20. Total cost to DA is relevant and not just the cost to the sponsor of the conference. If conference total costs meets or exceeds \$500,000, then the Approval Authority *must* be the AASA.
 - **“In conjunction with”** means sponsoring or co-sponsoring the conference. For example, simply leasing or renting space from a hotel or conference facility does not necessarily mean the conference is held “in conjunction with” the hotel or conference facility.
 - For purposes of AD 2011-20, an **NFE** is any non-government entity. If an organization’s website ends in “.org,” “.net,” or “.com,” then it is an NFE. If an NFE is competitively awarded a contract to support a conference, then the Approval Authority is not the AASA. For example, if an event planner is competitively awarded a contract to co-host an event, then the AASA is not the Approval Authority— unless the \$500,000 threshold is satisfied (in which case the AASA must be the Approval Authority). (Finally, the new conference policy implemented in AD 2011-20 does not apply to certain conferences and events sponsored by NFEs with statutory authority that authorizes specific DA support, such as the Association of the United States Army (AUSA).) See AD 2011-20 at para. 9 for more thorough guidance on NFEs.
 2. If the AASA is not the Approval Authority as outlined above, then the Approval Authority is commanders of Army commands, Army service component commands and direct reporting units for conferences sponsored or funded by their respective commands, organizations or activities. These Approval Authorities are authorized to delegate their authority IAW AD 2011-20 at para. 8c.

RECOMMENDATION: None. For information only.

POC: The point of contact for this paper is the ARNORTH and Fort Sam Houston SJA Office, Administrative/Civil Law Division, at 295-2373.