




U.S. Department of Justice  
Justice Management Division  
*Management and Planning Staff*

Washington, D.C. 20530

January 31, 2006

MEMORANDUM FOR BUREAU PROCUREMENT CHIEFS

FROM:

  
H. B. Myers  
Assistant Director  
Procurement Policy and Review Group

SUBJECT: DOJ Procurement Guidance Document (PGD) 06-03  
Use of Non-federal Conference and Training Facilities

Background. Section 1173 of Public Law 109-162, the Violence Against Women and Department of Justice Reauthorization Act of 2005 (The Act), states that unless authorized in writing by the Attorney General, the Department of Justice (and each entity within it) shall use for any predominantly internal training or conference meeting only a facility that does not require a payment to a private entity for the use of the facility. The Act also requires the Attorney General to prepare an annual report to the Chairmen and ranking minority members of the Committees on the Judiciary of the Senate and of the House of Representatives that details each training and conference meeting that required specific authorization. The report must include an explanation of why the facility was chosen, and a breakdown of any expenditures incurred in excess of the cost of conducting the training or conference meeting at a facility that did not require such authorization.

Procedures. Financial Management Policies and Procedures Bulletin 06-08, Use of Non-federal Conference and Training Facilities, provides the implementation regulations for Section 1173 of Public Law 109-162. A copy of that guidance is attached for your information and guidance. Following are highlights from that document:

- Prior approval of the Assistant Attorney General for Administration is required to use non-Federal facilities for training or conferences run or sponsored by entities of the Department of Justice and where the majority of the attendees are Department of Justice employees.
- Non-federal facilities can be considered if federal facilities do not meet the component's requirements or can be procured at a lower cost;
- Requires all indirect and direct costs to be considered;
- Requires reporting within 30 days after completion of any training or conference meeting held at a non-federal facility;

- Requires an annual report to the Hill detailing each training or conference meeting approved to be held in a non-federal facility;
- Outlines the approval process for requesting the use of non-federal conference and training facilities.

These requirements are effective for all predominantly internal training and conference meetings held in non-federal facilities on or after January 5, 2006.

Please make this information immediately available to the appropriate people in your organization and add this document to your collection of DOJ Procurement Guidance Documents. Questions may be directed to me at 202/616-3758 or email at [h.b.myers@usdoj.gov](mailto:h.b.myers@usdoj.gov).

Attachment



## FINANCIAL MANAGEMENT POLICIES AND PROCEDURES BULLETIN

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*No. 06-08*

*January 2006*

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January 25, 2006

TO: Executive/Administrative Officers  
Offices, Boards, and Divisions  
  
JMD Senior Management Staff  
  
Bureau Chief Financial Officers

FROM: Melinda B. Morgan/signed/  
Director  
Finance Staff

SUBJECT: Use of Non-federal Conference and Training Facilities

1. Scope. This Bulletin applies to any use of a non-federal facility for a predominantly internal training or conference meeting.
2. Background. Section 1173 of Public Law 109-162, the Violence Against Women and Department of Justice Reauthorization Act of 2005 (The Act), states that unless authorized in writing by the Attorney General, the Department of Justice (and each entity within it) shall use for any predominantly internal training or conference meeting only a facility that does not require a payment to a private entity for the use of the facility. The Act also requires the Attorney General to prepare an annual report to the Chairmen and ranking minority members of the Committees on the Judiciary of the Senate and of the House of Representatives that details each training and conference meeting that required specific authorization. The report must include an explanation of why the facility was chosen, and a breakdown of any expenditures incurred in excess of the cost of conducting the training or conference meeting at a facility that did not require such authorization.

3. Delegation of Authority. The Attorney General has delegated to the Assistant Attorney General for Administration (AAG/A) the authority to approve or disapprove the use of facilities for training and conference meetings that require payments to private entities.

4. Effective Date. These requirements are effective for all predominantly internal training and conference meetings held in non-federal facilities on or after January 5, 2006. If an event is held at a non-federal facility on or after January 5, 2006, but the component obligated funds towards the event *prior to* January 5, 2006, the component does not need AAG/A approval to hold the event at the non-federal facility. The component must, however, comply with the reporting requirement in § 9.

5. Definitions.

- a. Predominantly internal. A “predominantly internal” training or conference meeting is one that is run or sponsored by the Department of Justice and where the majority of the attendees are Department of Justice employees.
- b. Training. “Training” includes any program, course, curriculum, subject, system or routine of instruction or education provided to employees.
- c. Conference. “Conference” includes any meeting, retreat, seminar, symposium or other event attended by employees.
- d. Federal facility. “Federal facility” means property owned, leased, or substantially controlled by the federal Government or the government of the District of Columbia.
- e. Non-federal facility. “Non-federal facility” means any facility that is not a federal facility. For further clarification see the definition of “non-Government facility” in 5 U.S.C. § 4101(6).

6. Examples of Meetings Not Covered.

- a. Conferences arranged by the Office of Justice Programs for grantees.
- b. Meetings arranged by United States Trustees for debtors and/or creditors.

7. Policy.

- a. When planning any conference or training event, components are required to follow Part 301-74 of Title 41 of the Code of Federal Regulations, entitled “Conference Planning.” These regulations, in part, require that components:

- 1) Minimize all conference costs, including administrative costs, conference attendees' travel costs, and conference attendees' time costs;
  - 2) Maximize the use of Government-owned or Government provided conference facilities as much as possible;
  - 3) 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). 41 C.F.R. § 301-74.1.
- b. In minimizing conference costs, components must consider all indirect and direct costs to be paid by the Department, including: travel and per diem of employees, lodging room charges, equipment usage, computer and telephone fees, refreshments, printing, registration fees, ground transportation, and employees' travel and conference time. 41 C.F.R. § 301-74.2. Components must also consider possible alternatives to a conference, e.g., teleconferencing. 41 C.F.R. § 301-74.3.
- c. To ensure that components maximize the use of federal facilities and minimize total costs to the Department, components planning predominantly internal conferences or training events shall:
- 1) First consider all federal facilities in appropriate locations. If a federal facility meets the component's needs at a reasonable price, there is no requirement that non-federal facilities be considered.
  - 2) The component may consider non-federal facilities if:
    - A) the federal facilities do not meet the component's requirements (e.g., size of the meeting room, necessary technological equipment, sufficient lodging at the facility or in the proximity of the facility); OR
    - B) the component believes that a non-federal facility can be procured at a lower cost, taking into account all costs described in 7(b).
  - 3) The component must obtain information and rates regarding at least two non-federal facilities for comparison purposes. (When obtaining this information, components should avoid the appearance of lavish accommodations and locations.)
  - 4) If the component determines that a non-federal facility can provide the most cost-effective event for the Department, prior to entering into a contract with such facility the component must apply for approval pursuant to § 8.

8. AAG/A Approval for Uses of Non-Federal Facilities

Any component wishing to hold a predominantly internal training or conference meeting at a non-federal facility must obtain approval from the AAG/A before entering into a contract with such facility. Requests for approval must be sent to the Director of Finance as follows:

Director, Finance Staff  
600 E Street, NW  
Room 4065  
Washington, DC 20530  
or via email to: [melinda.b.morgan@usdoj.gov](mailto:melinda.b.morgan@usdoj.gov)

The request must include the following:

- Purpose of training or conference meeting;
- Number of attendees and their organizations and duty stations;
- Dates of the training or conference meeting;
- Location of the training or conference meeting (City/State) and reason(s) for choosing location;
- List of federal and non-federal facilities considered;
- Overall costs of each of the federal and non-federal facilities considered;
- Reasons why the federal facilities did not meet the meeting's requirements (refer to § 7(c)(2)(A));
- Requested non-federal facility (name and address); and
- Justification for the use of the non-federal facility.

9. Reporting. Within 30 days after completion of any training or conference meeting held at a non-federal facility, the sponsoring office must report to the Director of the Finance Staff (address above): the actual overall cost of using the non-federal facility (including but not limited to the costs of the facility, travel and transportation), and the number of attendees and their organizations and duty stations.

10. Questions. Questions regarding these requirements may be directed to Lori Arnold, Assistant Director, Financial Management Policies and Requirements Group, Finance Staff, on (202)616-5216.