



March 16, 2006

TO: Executive Officers

FROM: Director, OFM/Deputy CIO
Director, OAMP/HCA

SUBJECT: Registration Fees

There has been discussion recently regarding NIH's authority to charge, or have contractors charge, registration fees for conferences in light of a March 2005 opinion from the General Accountability Office (GAO) (B-300826).

In brief, this decision clarified that Federal agencies must have specific statutory authority to charge a fee for one of its programs or activities, such as a conference, and even if it had such authority, it could not retain and use the amounts collected. There is no such authority in the Public Health Service Act, and thus NIH may not charge or retain registration fees in connection with its programs or conferences. It should be noted that this rule applies regardless of whether NIH is holding the conference itself or using a logistics contractor. In other words, since NIH does not have authority to charge and retain a registration fee for a conference, it may not authorize its contractor to do so to offset its costs.

NIH may continue to co-sponsor conferences whereby the non-federal co-sponsor may collect fees to cover its share of the expenses of the event. ICs would be well-served by documenting that any registration fees associated with a conference are being charged, collected and used. All the existing guidance regarding co-sponsorship must be followed.

/s/

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