

NIH Manual 1160-1, Appendix 7

Appendix No. 7, “Application of Registration Fees For the Provision of Light Refreshments (LR) and Meals”

This Appendix shall serve as a supplement to [NIH Manual 6031](#), which states that the NIH may authorize a contractor acting on its behalf under the terms of the contract, to collect and retain registration fees from Non-HHS Federal and Non-Federal participants to defray the expenses of a scientific, educational, or research-related conference. NIH Manual 6031 only pertains to conference services obtained through a contract (See Part 1 below).

An IC may also procure conference services by negotiating directly with a hotel, conference center, etc. not utilizing the services of a conference support contractor (See Part 2 below).

NOTE: These guidelines **DO NOT** apply to the use of Gift Funds for the provision of LR and meals. In any scenario where appropriated funds are being authorized for the provision of LR and meals, the [NIH Form 2408-1](#) “Request for Use of Appropriated/Gift Funds for Light Refreshments/Meals and Other Entertainment Expenses” must be properly completed and signed.

Parts 1 and 2 below pertain to NIH activities and corresponding entertainment expenses when the event is being held either in or outside the local travel area.

All existing entertainment policy guidance as contained in Appendix 3 of NIH Manual 1160-1 remains in effect.

Part 1. Conference Services Obtained under a Contract, i.e., Using a Conference Support Contractor

Question No. 1: Can a Contractor charge a registration fee that includes LR?

Answer No. 1: Yes, under the following conditions:

A. For an NIH Sponsored Conference:

The fee may include a charge for LR during morning and/or afternoon breaks, but only if there are Non-Federal participants in attendance and the conference is not an internal, routine event in support of programmatic operations or strategies.

B. For an NIH Sponsored Conference Training Event (5 CFR 410.404 and 5 USC 4101):

The fee may include a charge for LR during morning and/or afternoon breaks.

Question No. 2: Can a Contractor charge a registration fee that includes meals?

Answer No. 2: Yes, under the following conditions:

A. For an NIH Sponsored Conference:

The fee may include a meal ONLY when the conference center includes an all inclusive conference services package. In this scenario:

- 1) The hotel's proposal meets all of the IC's requirements;
- 2) The hotel did not include LR and meals as a separate cost in its proposal;
- 3) It is the hotel's normal practice to include LR and meals as part of an all-inclusive package;
NOTE: If the meal is separately priced, but it is the hotel's policy that the meal must be included in the contract, the proposal cannot be accepted by the IC; and
- 4) The hotel's proposal is the lowest price received of all proposals that meet the IC's requirements. In this scenario, the Contractor must include cost comparisons from at least two other available facilities in the local area, such that the conference service costs and possibly the LR, (no meals), would have been more expensive than the facility, in question. In all cases, where a facility outside the NIH is selected, an [NIH Form 827-1](#) must accompany the NIH Form 2408-1. In the event a higher costing facility is selected due to logistical reasons, proper justification must be provided on the NIH Form 827-1.

B. For an NIH Sponsored Conference Training Event (5 CFR 410.404 and 5 USC 4101):

The fee may include meals ONLY if the following conditions are met:

- a) The expenses are necessary to achieve the objectives of the conference training program; and
- b) The conference has a minimum of 4 hours duration; and
- c) The partaking of meals is necessary for the participants to fully contribute to the event; and
- d) If the participants took their meals elsewhere, the flow of the activities in terms of essential formal discussions, lectures, speeches, etc., concerning the purpose of the event, would be disrupted;
OR
- e) The conference entails an all inclusive conference services package as described above.

Non-HHS Federal and Non-Federal Participants on NIH Travel Authorizations (Orders)

In accordance with the activities described in Part 1 above, when a Contractor acting on behalf of an IC charges and collects a registration fee, to include meals and LR, from Non-HHS Federal and Non-Federal participants for the purpose of defraying the expenses of the event, those Non-HHS Federal and Non-Federal participants on NIH Travel Authorizations who are charged a registration fee, should not be reimbursed by NIH for the expenses. Otherwise, any defraying of the conference costs would be negated. In addition, the per diem allowance for each applicable traveler must be reduced accordingly.

PART 2. Conference Services Procured Directly By IC Staff

Question No. 1: Can an IC charge a registration fee that includes LR?

Answer No. 1: No. In accordance with NIH Manual 6031, only a contractor under a contract is authorized to charge and collect registration fees irrespective of whether or not LRs are included.

Question No. 2: Can an IC pay for LR provided by a hotel or conference center?

Answer No. 2: Yes, under the following conditions:

A. For an NIH Sponsored Conference

An IC may pay for LR during morning and/or afternoon breaks, but only if there are Non-Federal participants in attendance and the conference is not an internal, routine event in support of programmatic operations or strategies.

B. For an NIH Sponsored Conference Training Event (5 CFR 410.404 and 5 USC 4101):

An IC may pay for LR during morning and/or afternoon breaks.

Question No. 3: Can an IC charge a registration fee that includes Meals?

Answer No. 3: No. In accordance with NIH Manual 6031, only a contractor under a contract is authorized to charge and collect registration fees irrespective of whether or not meals are included.

Question No. 4: Can an IC pay for a meal that is provided by a hotel or conference center?

Answer No. 4: Yes, under the following conditions:

A. For an NIH Sponsored Conference:

An IC may pay for a meal when the e.g., conference center includes an all inclusive conference services package as described above.

B. For an NIH Sponsored Conference Training Event (5 CFR 410.404 and 5 USC 4101):

An IC may pay for a meal **ONLY** if the following conditions are met:

- a) The expenses are necessary to achieve the objectives of the conference training program; and
 - b) The conference has a minimum of 4 hours duration; and
 - c) The partaking of meals is necessary for the participants to fully contribute to the event; and
 - d) If the participants took their meals elsewhere, the flow of the activities in terms of essential formal discussions, lectures, speeches, etc., concerning the purpose of the event, would be disrupted;
- OR**
- e) The conference entails an all inclusive conference services package as described above.

All Participants on NIH Travel Authorizations (Orders)

In accordance with the activities described in Part 2 above, an IC negotiating directly with a hotel or conference center may not charge or collect a registration fee but may pay the hotel or conference center directly for the meals and LR expenses. In this case, all participants on NIH Travel Authorizations would have their per diem allowances reduced, accordingly.