



The Issa/Coburn Amendment on Federal Employee Meetings and The Harm to Private Conferences

Background: On April 24, the Senate passed S. 1789, the “21st Century Postal Service Act of 2012”, which contained an amendment sponsored by Senators Coburn, McCain, and Johnson. The amendment was aimed at restricting spending on federal conference and federal employee travel, but the actual language could be interpreted as more expansive. That same language was included in HR 2146, the DATA Act, which was passed by the House on April 25.

Concerns: The language in the amendment would extend to most non-governmental conferences and could limit federal attendance at these meetings:

- In the definitions, “conference” as defined would include meetings, “sponsored by 1 or more [federal] agencies, 1 or more organizations that are not agencies, or a combination of such agencies or organizations”. This could sweep into the amendment’s purview almost any conference held by a nonprofit or for-profit organization where government employees are invited.
- In addition, a conference that “involves costs associated with travel and lodging for some participants” is covered by this amendment. Without context, this could be as little as cab fare or public transportation fare reimbursed from an agency expense account.
- The final section of the amendment [(4) Limitations on the Annual Number of Conferences An Agency May Support] says that, “no agency may expend funds on more than a single conference sponsored or organized by an organization during any fiscal year, unless that agency is the primary sponsor and organizer of the conference.” This provision is very problematic. A reasonable reading is that, for example, if employees from NIH attend a scientific conference sponsored by a medical association, no other employees can attend any other conference sponsored by the same association until the next fiscal year. This would severely limit federal employees from attending any meetings, even for government projects or public interest forums.
- The amendment calls for all conferences attended by government employees to make publicly available “information regarding any financial support or other assistance from a foundation or other non-federal source used to pay or defray the costs of the conference”. This language is vague enough to potentially require conferences to report who paid what to put on a conference, numbers that could be very misleading especially if the entire cost of a conference is reported when federal employees simply attended part.
- This same section of the amendment would require the materials of conferences attended by government employees (including “any speech delivered”, “any visual exhibit”, and “any video, digital, or audio recordings”) to be made publicly available. There is concern that this type of disclosure for attending a non-governmental conference will discourage attendance. If there is a panel that is videotaped by the association, would this have to be turned over to the federal government?

Request: We ask that Congress either reject adding this amendment to the other chamber’s counterpart to the amended bill or make modifications that would allow federal employees to still attend non-governmental conferences. For language suggestions or more information, contact ASAE at 202.626.2703 or publicpolicy@asaenet.org.