

## SUBCHAPTER C—ARRANGING FOR TRAVEL SERVICES, PAYING TRAVEL EXPENSES, AND CLAIMING REIMBURSEMENT

### PART 301–50—ARRANGING FOR TRAVEL SERVICES

Sec.

301–50.1 To whom do the pronouns “I”, “you”, and their variants throughout this part refer?

301–50.2 How must I arrange my travel?

301–50.3 Must I use the ETS or TMS to arrange my travel?

301–50.4 May I be granted an exception to the required use of TMS or ETS once my agency has fully deployed ETS?

301–50.5 What is my liability if I do not use my agency’s TMS or the E-Gov Travel Service, and an exception has not been approved?

301–50.6 What is an “online self-service booking tool?”

301–50.7 Should I use the online self-service booking tool once ETS is available within my agency?

301–50.8 Are there any limits on travel arrangements I may make?

AUTHORITY: 5 U.S.C. 5707; 40 U.S.C. 121(c).

SOURCE: FTR Amdt. 2003–07, 68 FR 71029, Dec. 22, 2003, unless otherwise noted.

#### **§301–50.1 To whom do the pronouns “I”, “you”, and their variants throughout this part refer?**

In this part, the pronouns “I”, “you”, and their variants refer to the employee.

#### **§301–50.2 How must I arrange my travel?**

You must arrange your travel as designated by your agency and in accordance with this part.

#### **§301–50.3 Must I use the ETS or TMS to arrange my travel?**

Yes, if you are an employee of an agency as defined in §301–1.1 of this chapter, you must use the E-Gov Travel Service when your agency makes it available to you. Until then, you must use your agency’s existing Travel Management Service (TMS) to make your travel arrangements. If you are an employee of the Department of Defense (DoD) or of the Government of the District of Columbia, you must arrange your travel in accordance with your agency’s TMS. Your agency may grant

an exception to required use of TMS/ETS under §301–50.4, §301–73.102, or §301–73.104 of this chapter.

[FTR Amdt. 2003–07, 68 FR 71029, Dec. 22, 2003, as amended by FTR Amdt. 2006–04, 71 FR 49375, Aug. 23, 2006; FTR Amdt. 2007–05, 72 FR 61538, Oct. 31, 2007]

#### **§301–50.4 May I be granted an exception to the required use of TMS or ETS once my agency has fully deployed ETS?**

Yes, your agency head or his/her designee may grant an individual case exception to required use of your agency’s current TMS or to required use of ETS once your agency has fully deployed ETS, but only when your travel meets one of the following conditions:

(a) Such use would result in an unreasonable burden on mission accomplishment (e.g., emergency travel is involved and TMS/ETS is not accessible; you are performing invitational travel; or you have special needs or require disability accommodations under part 301–13 of this chapter).

(b) Such use would compromise a national security interest.

(c) Such use might endanger your life (e.g., you are traveling under the Federal witness protection program, or you are a threatened law enforcement/investigative officer traveling under part 301–31 of this chapter).

[FTR Amdt. 2006–04, 71 FR 49375, Aug. 23, 2006]

#### **§301–50.5 What is my liability if I do not use my agency’s TMS or the E-Gov Travel Service, and an exception has not been approved?**

If you do not have an approved exception under §301–50.4 or §301–73.104 of this chapter, you are responsible for any additional costs resulting from the failure to use the TMS or E-Gov Travel Service, including service fees, cancellation penalties, or other additional costs (e.g., higher airfares, rental car charges, or hotel rates). In addition,

## § 301-50.6

## 41 CFR Ch. 301 (7-1-09 Edition)

your agency may take appropriate disciplinary action.

[FTR Amdt. 2003-07, 68 FR 71029, Dec. 22, 2003, as amended by FTR Amdt. 2007-05, 72 FR 61538, Oct. 31, 2007]

### § 301-50.6 What is an “online self-service booking tool?”

An online self-service booking tool is an Internet based system that permits travelers to make their own reservations for transportation (e.g., air, rail, and car rental) and lodging. ETS and some agency TMS’s incorporate a self service booking tool.

[FTR Amdt. 2006-04, 71 FR 49375, Aug. 23, 2006]

### § 301-50.7 Should I use the online self-service booking tool once ETS is available within my agency?

Yes, you should use the online self-service booking tool offered by ETS or your agency’s TMS until ETS becomes available to you.

NOTE TO SECTION 301-50.7: Some extenuating circumstances for which you may not be able to use online self-service booking are (1) when you are attending a conference where the conference sponsor has negotiated with one or more lodging facilities to set aside a specific number of rooms for conference attendees and to ensure that a set aside room is available to you, you are required to book lodging directly with the lodging facility, (2) when your travel is to a remote location and it is not possible to book lodging accommodations through the TMS or ETS, or (3) when such travel arrangements are so complex and circumstance will not allow you to book your travel through an online self-service booking tool.

[FTR Amdt. 2006-04, 71 FR 49375, Aug. 23, 2006]

### § 301-50.8 Are there any limits on travel arrangements I may make?

Yes, there are limits on travel arrangements you may make for common carrier, commercial lodging, and car rental accommodations. Such limitations include, but are not limited to the following:

(a) *Common carrier accommodations.* (1) If your agency is a mandatory user of the General Services Administration’s city-pair contracts for air passenger transportation services, you must use the contract carrier, unless you have

an approved exception (see §§ 301-10.107 and 301-10.108 of this chapter);

(2) You may use first-class accommodations only under §§ 301-10.123, 301-10.162, and 301-10.183 and business-class accommodations only under § 301-10.124 of this chapter; and

(3) You must always use a U.S. Flag Air Carrier unless your travel circumstances meet one of the exceptions in §§ 301-10.131 through 301-10.143 of this chapter.

(b) *Lodging accommodations.* (1) You should always stay in a “fire safe” facility. This is a facility that meets the fire safety requirements of the Hotel and Motel Fire Safety Act of 1990 (the Act), as amended (see 5 U.S.C. 5707a).

(2) When selecting a commercial lodging facility, first consideration must be given to the commercial lodging facilities under FedRooms (FedRooms may be found on the Internet at <http://www.fedrooms.gov>), all of which meet fire safety requirements, unless one or more of the following conditions exist:

(i) An FedRooms facility is not available at the location you need (e.g., there are no FedRooms facilities within a reasonable proximity of your temporary duty station, or there are no vacancies at the FedRooms facilities at that location). (Your agency’s TMS or E-Gov Travel Service (ETS) must provide you with a list of alternative facilities that meet the fire safety requirements of the Act).

(ii) Your agency has other contractual arrangements with commercial lodging facilities that meet the FEMA fire safety requirements at a lower cost than FedRooms properties.

(iii) Your agency determines on an individual case-by-case basis that it is not practical to use FPLP facilities to meet mission requirements.

(iv) You are attending a conference with prearranged lodging accommodations and are required to book lodging directly with the lodging facility.

(v) Your travel is OCONUS.

(c) *Car rental accommodations.* When authorized to use a rental vehicle under § 301-10.450 of this chapter, you must rent a vehicle from a vendor that participates in the Surface Deployment and Distribution Command (SDDC)

## Temporary Duty (TDY) Travel Allowances

## § 301-51.2

U.S. Government Car Rental Agreement, unless you are OCONUS and no agreement is in place for your TDY location. SDDC has negotiated rental car agreements that include automatic unlimited mileage, collision damage insurance, and ceiling rates.

[FTR Amdt. 2003-07, 68 FR 71029, Dec. 22, 2003, as amended by FTR Amdt. 2005-03, 70 FR 28460, May 18, 2005. Redesignated by FTR Amdt. 2006-04, 71 FR 49375, Aug. 23, 2006; FTR Amdt. 2007-05, 72 FR 61538, Oct. 31, 2007]

301-51.201 What is the maximum amount that my agency may advance?

301-51.202 When must I account for my advance?

301-51.203 What must I do about my advance if my trip is canceled or postponed indefinitely?

AUTHORITY: 5 U.S.C. 5707. Subpart A is issued under the authority of Sec. 2, Pub. L. 105-264, 112 Stat. 2350 (5 U.S.C. 5701 note); 40 U.S.C. 121(c).

SOURCE: FTR Amdt. 70, 63 FR 15968, Apr. 1, 1998, unless otherwise notes.

### PART 301-51—PAYING TRAVEL EXPENSES

### Subpart A—General

#### Subpart A—General

SOURCE: FTR Amdt. 90, 65 FR 3055, Jan. 19, 2000, unless otherwise noted.

Sec.

301-51.1 What is the required method of payment for official travel expenses?

301-51.2 What official travel expenses and/or classes of employees are exempt from the mandatory use of the Government contractor-issued travel charge card?

301-51.3 Who in my agency has the authority to grant exemptions from the mandatory use of the Government contractor-issued travel charge card?

301-51.4 If my agency grants an exemption, does that prevent me from using the card on a voluntary basis?

301-51.5 How may I pay for official travel expenses if I receive an exemption from use of the Government contractor-issued travel charge card?

301-51.6 May I use the Government contractor-issued travel charge card for purposes other than those associated with official travel?

301-51.7 What are the consequences of using the Government contractor-issued travel charge card for non-official travel purposes?

#### Subpart B—Paying for Common Carrier Transportation

301-51.100 What method of payment must I use to procure common carrier transportation?

301-51.101 Which payment methods are considered the equivalent of cash?

301-51.102 How is my transportation reimbursement affected if I make an unauthorized cash purchase of common carrier transportation?

301-51.103 What is my liability if I lose a GTR?

#### Subpart C—Receiving Travel Advances

301-51.200 For what expenses may I receive a travel advance?

#### § 301-51.1 What is the required method of payment for official travel expenses?

You are required to use the Government contractor-issued travel charge card for all official travel expenses unless you have an exemption.

#### § 301-51.2 What official travel expenses and/or classes of employees are exempt from the mandatory use of the Government contractor-issued travel charge card?

The Administrator of General Services exempts the following from the mandatory use of the Government contractor-issued travel charge card:

(a) Expenses incurred at a vendor that does not accept the Government contractor-issued travel charge card;

(b) Laundry/dry cleaning;

(c) Parking;

(d) Local transportation system;

(e) Taxi;

(f) Tips;

(g) Meals (when use of the card is impractical, e.g., group meals or the Government contractor-issued travel charge card is not accepted);

(h) Phone calls (when a Government calling card is available for use in accordance with agency policy);

(i) An employee who has an application pending for the travel charge card;

(j) Individuals traveling on invitational travel;

(k) New appointees;

(l) Relocation allowances prescribed in chapter 302 of this title, except en route travel and househunting trip expenses; and

**§ 301-51.3**

**41 CFR Ch. 301 (7-1-09 Edition)**

(m) Employees who travel 5 times or less a year. Even though exempt, agencies have the discretion to issue a travel charge card to such an employee.

[FTR Amdt. 90, 65 FR 3055, Jan. 19, 2000, as amended by, FTR Amdt. 92, 65 FR 21365, Apr. 21, 2000; FTR Amdt. 108, 67 FR 57966, Sept. 13, 2002]

**§ 301-51.3 Who in my agency has the authority to grant exemptions from the mandatory use of the Government contractor-issued travel charge card?**

The head of your agency or his/her designee(s) has (have) the authority to grant exemptions from the mandatory use of the Government contractor-issued travel charge card.

**§ 301-51.4 If my agency grants an exemption, does that prevent me from using the card on a voluntary basis?**

No, an exemption from use would not prevent you from using the Government contractor-issued travel charge card on a voluntary basis in accordance with your agency's policy.

**§ 301-51.5 How may I pay for official travel expenses if I receive an exemption from use of the Government contractor-issued travel charge card?**

If you receive an exemption from use of the Government contractor-issued travel charge card, your agency may authorize one or a combination of the following methods of payment:

(a) Personal funds, including cash or personal charge card;

(b) Travel advances; or  
(c) Government Transportation Request (GTR).

NOTE TO §301-51.5: City pair contractors are not required to accept payment by the methods in paragraph (a) or (b) of this section.

**§ 301-51.6 May I use the Government contractor-issued travel charge card for purposes other than those associated with official travel?**

No, the Government contractor-issued travel charge card may be used only for official travel related expenses.

**§ 301-51.7 What are the consequences of using the Government contractor-issued travel charge card for non-official travel purposes?**

If you use the Government contractor-issued travel charge card for purposes other than official travel, your agency may take appropriate disciplinary action.

**Subpart B—Paying for Common Carrier Transportation**

**§ 301-51.100 What method of payment must I use to procure common carrier transportation?**

You must use a Government contractor-issued individually billed travel card, centrally billed account, or GTR to procure contract passenger transportation services. For all other common carrier transportation, you must use one of the methods specified in the following table:

For passenger transportation services costing	You must use	Unless
(a) \$10 or less, and air excess baggage charges of \$15 or less for each leg of a trip.	A Government contractor-issued individually billed travel card or centrally billed account.	Use of the Government contractor-issued individually billed travel card is not accepted, its use is impracticable or special circumstances justify the use of a GTR.
(b) More than \$10, but not more than \$100.	A Government contractor-issued individually billed travel card, centrally billed account, or GTR.	None of the other methods are practicable, you may use cash.
(c) More than \$100 .....	Only a Government contractor-issued individually billed travel card, centrally billed account, or GTR.	Your agency authorizes you to use a reduced fare for group, charter, or excursion arrangements or under emergency circumstances where the use of other methods is not possible.

[FTR Amdt. 70, 63 FR 15968, Apr. 1, 1998; 63 FR 35538, June 30, 1998, as amended by FTR Amdt. 2007-05, 72 FR 61539, Oct. 31, 2007]



**§ 301-51.201**

**41 CFR Ch. 301 (7-1-09 Edition)**

For	You may receive an advance
	<i>(4) Financial hardship would be incurred.</i>

[FTR Amdt. 70, 63 FR 15968, Apr. 1, 1998; 63 FR 35538, June 30, 1998, as amended by FTR Amdt. 108, 67 FR 57966, Sept. 13, 2002; FTR Amdt. 2006-02, 71 FR 24598, Apr. 26, 2006]

**§ 301-51.201 What is the maximum amount that my agency may advance?**

The amount your agency advances you may not exceed the following amounts:

For	The maximum amount your agency may advance is
Cash transaction expenses .....	The estimated amount of your cash transaction expenses. (For M&IE, your advance is limited to the M&IE rate under the lodgings-plus per diem method.)
Non-cash transaction expenses (See § 301-51.200(b)).	Generally zero. However, your agency may advance up to the full amount of your expected non-cash transaction expenses for an individual trip (or not to exceed a 45-day period for an open authorization) in accordance with § 301-51.200(b).

[FTR Amdt. 70, 63 FR 15968, Apr. 1, 1998; 63 FR 35538, June 30, 1998]

**§ 301-51.202 When must I account for my advance?**

You must file a travel claim which accounts for your advance after completion of your assignment, in accordance with your agency's policy. If you are in a continuous travel status (e.g., an auditor or inspector) or if you submit periodic reimbursement vouchers on an individual trip authorization, your agency may reimburse you the full amount of your travel expenses without any deduction of your advance until such time as you file a final voucher. If the amount advanced is less than the amount of the voucher on which it is deducted, you will be reimbursed the net amount. If the advance exceeds the reimbursable amount, you must immediately refund the excess.

**§ 301-51.203 What must I do about my advance if my trip is canceled or postponed indefinitely?**

Promptly notify the appropriate agency officials and refund any monies advanced in connection with the authorized travel.

**PART 301-52—CLAIMING REIMBURSEMENT**

Sec.

- 301-52.1 Must I file a travel claim?
- 301-52.2 What information must I provide in my travel claim?
- 301-52.3 Am I required to file a travel claim in a specific format and must the claim be signed?

- 301-52.4 What must I provide with my travel claim?
- 301-52.5 Is there any instance where I am exempt from the receipt requirements in § 301-52.4?
- 301-52.6 How do I submit a travel claim?
- 301-52.7 When must I submit my travel claim?
- 301-52.8 May my agency disallow payment of a claimed item?
- 301-52.9 What will my agency do when it disallows an expense?
- 301-52.10 May I challenge my agency's disallowance of my claim?
- 301-52.11 What must I do to challenge a disallowed claim?
- 301-52.12 What happens if I attempt to defraud the Government?
- 301-52.13 Should I keep itemized records of my expenses while on travel?
- 301-52.14 What must I do with any travel advance outstanding at the time I submit my travel claim?
- 301-52.15 What must I do with any passenger coupon for transportation costing over \$75, purchased with cash?
- 301-52.16 What must I do with any unused tickets, coupons, or other evidence of refund?
- 301-52.17 Within how many calendar days after I submit a proper travel claim must my agency reimburse my allowable expenses?
- 301-52.18 Within how many calendar days after I submit a travel claim must my agency notify me of any error that would prevent payment within 30 calendar days after submission?
- 301-52.19 Will I receive a late payment fee if my agency fails to reimburse me within 30 calendar days after I submit a proper travel claim?
- 301-52.20 How are late payment fees calculated?

## Temporary Duty (TDY) Travel Allowances

## § 301-52.4

301-52.21 Is there a minimum amount the late payment fee must exceed before my agency will pay it to me?

301-52.22 Will any late payment fees I receive be reported as wages on a Form W-2?

301-52.23 Is the additional fee, which is equal to any late payment charge that the card contractor would have been able to charge had I not paid the bill, considered income?

301-52.24 Does mandatory use of the Government contractor-issued travel charge card change my obligation to pay my travel card bill by the due date?

AUTHORITY: 5 U.S.C. 5707; 40 U.S.C. 121(c); Sec. 2, Pub. L. 105-264, 112 Stat. 2350 (5 U.S.C. 5701 note).

SOURCE: FTR Amdt. 70, 63 FR 15969, Apr. 1, 1998, unless otherwise noted.

### § 301-52.1 Must I file a travel claim?

Yes.

### § 301-52.2 What information must I provide in my travel claim?

You must provide the following:

(a) An itemized list of expenses and other information (specified in the listing of required standard data elements contained in appendix C of this chapter, and any additional information your agency may specifically require), except:

(1) You may aggregate expenses for local telephone calls, local metropolitan transportation fares, and parking meter fees, except any individual expenses costing over \$75 must be listed separately;

(2) When you are authorized lodgings-plus per diem, you must state the M&IE allowance on a daily basis;

(3) When you are authorized a reduced per diem, you must state the reduced rate your agency authorizes on a daily basis; and

(4) When your agency limits M&IE reimbursement to the prescribed maximum M&IE for the locality concerned, you must state the reduced rate on a daily basis.

(5) Your agency may or may not require itemization of M&IE when reimbursement is limited to either the maximum M&IE locality rate or a reduced M&IE rate is authorized.

(b) The type of leave and the number of hours of leave for each day;

(c) The date of arrival and departure from the TDY station and any non-

duty points visited when you travel by an indirect route other than a stopover to change planes or embark/disembark passengers;

(d) A signed statement, "I hereby assign to the United States any rights I may have against other parties in connection with any reimbursable carrier transportation charges described herein," when you use cash to pay for common carrier transportation.

### § 301-52.3 Am I required to file a travel claim in a specific format and must the claim be signed?

As soon as your agency fully deploys the E-Gov Travel Service (ETS), you must use the ETS to file all your travel claims. (Agencies are required to fully deploy the ETS no later than September 30, 2006.) Until that time, you must file your travel claim in the format prescribed by your agency. If the prescribed travel claim is hardcopy, the claim must be signed in ink. Any alterations or erasures to your hardcopy travel claim must be initialed. If your agency has electronic processing, use your electronic signature where required.

[FTR Amdt. 2003-07, 68 FR 71030, Dec. 22, 2003, as amended by FTR Amdt. 2006-04, 71 FR 49375, Aug. 23, 2006; FTR Amdt. 2007-05, 72 FR 61539, Oct. 31, 2007]

### § 301-52.4 What must I provide with my travel claim?

You must provide:

(a) Evidence of your necessary travel authorizations including any necessary special authorizations;

(b) Receipts for:

(1) Any lodging expense, except when you are authorized a fixed reduced per diem allowance;

(2) Any other expense costing over \$75. If it is impracticable to furnish receipts in any instance as required by this subtitle, the failure to do so must be fully explained on the travel voucher. Mere inconvenience in the matter of taking receipts will not be considered; and

(3) Receipts must be retained for 6 years and 3 months as prescribed by the National Archives and Records Administration (NARA) under General Records Schedule 6, paragraph number

## § 301-52.5

1 (<http://www.archives.gov/records-mgmt/ardor/grs06.html>)

[FTR Amdt. 70, 63 FR 15969, Apr. 1, 1998, as amended by 67 FR 57966, Sept. 13, 2002; FTR Amdt. 2007-05, 72 FR 61539, Oct. 31, 2007]

### **§ 301-52.5 Is there any instance where I am exempt from the receipt requirement in § 301-52.4?**

Yes, your agency may exempt an expenditure from the receipt requirement because the expenditure is confidential.

[FTR Amdt. 70, 63 FR 15969, Apr. 1, 1998; 63 FR 35538, June 30, 1998]

### **§ 301-52.6 How do I submit a travel claim?**

You must submit your travel claim in accordance with administrative procedures prescribed by your agency.

### **§ 301-52.7 When must I submit my travel claim?**

Unless your agency administratively requires you to submit your travel claim within a shorter timeframe, you must submit your travel claim as follows:

- (a) Within 5 working days after you complete your trip or period of travel; or
- (b) Every 30 days if you are on continuous travel status.

### **§ 301-52.8 May my agency disallow payment of a claimed item?**

Yes, if you do not:

- (a) Provide proper itemization of an expense;
- (b) Provide receipt or other documentation required to support your claim; and
- (c) Claim an expense which is not authorized.

### **§ 301-52.9 What will my agency do when it disallows an expense?**

Your agency will disallow your claim for that expense, issue you a notice of disallowance, and pay your claim for those items which are not disallowed.

### **§ 301-52.10 May I challenge my agency's disallowance of my claim?**

Yes, you may request reconsideration of your claim if you have additional facts or documentation to support your request for reconsideration.

## 41 CFR Ch. 301 (7-1-09 Edition)

### **§ 301-52.11 What must I do to challenge a disallowed claim?**

You must:

- (a) File a new claim.
- (b) Provide full itemization for all disallowed items reclaimed.
- (c) Provide receipts for all disallowed items reclaimed that require receipts, except that you do not have to provide a receipt if your agency already has the receipt.
- (d) Provide a copy of the notice of disallowance.
- (e) State the proper authority for your claim if you are challenging your agency's application of the law or statute.
- (f) Follow your agency's procedures for challenging disallowed claims.
- (g) If after reconsideration by your agency your claim is still denied, you may submit your claim for adjudication to the GSA Board of Contract Appeals in accordance with 48 CFR part 6104.

### **§ 301-52.12 What happens if I attempt to defraud the Government?**

- (a) You forfeit reimbursement pursuant to 28 U.S.C. 2514; and
- (b) You may be subject under 18 U.S.C. 287 and 1001 to one, or both, of the following:
  - (1) A fine of not more than \$10,000, or
  - (2) Imprisonment for not more than 5 years.

### **§ 301-52.13 Should I keep itemized records of my expenses while on travel?**

Yes. You will find it helpful to keep a record of your expenses by date of the expense to aid you in preparing your travel claim or for tax purposes.

### **§ 301-52.14 What must I do with any travel advance outstanding at the time I submit my travel claim?**

You must account for the travel advance in accordance with your agency's procedures.

### **§ 301-52.15 What must I do with any passenger coupon for transportation costing over \$75, purchased with cash?**

You must submit the passenger coupons to your agency in accordance with your agency's procedures.

## Temporary Duty (TDY) Travel Allowances

## § 301-52.20

### **§ 301-52.16 What must I do with any unused tickets, coupons, or other evidence of refund?**

You must submit any unused tickets, coupons, or other evidence of refund to your agency in accordance with your agency's procedures.

[FTR Amdt. 70, 63 FR 15969, Apr. 1, 1998; 63 FR 35538, June 30, 1998]

### **§ 301-52.17 Within how many calendar days after I submit a proper travel claim must my agency reimburse my allowable expenses?**

Your agency must reimburse you within 30 calendar days after you submit a proper travel claim to your agency's designated approving office. Your agency must ensure that it uses a satisfactory recordkeeping system to track submission of travel claims. For example, travel claims submitted by mail, in accordance with your agency's policy, could be annotated with the time and date of receipt by your agency. Your agency could consider travel claims electronically submitted to the designated approving office as submitted on the date indicated on an e-mail log, or on the next business day if submitted after normal working hours. However, claims for the following relocation allowances are exempt from this provision:

- (a) Transportation and storage of household goods and professional books, papers and equipment;
- (b) Transportation of mobile home;
- (c) Transportation of a privately owned vehicle;
- (d) Temporary quarters subsistence expense, when not paid as lump sum;
- (e) Residence transaction expenses;
- (f) Relocation income tax allowance;
- (g) Use of a relocation services company;
- (h) Home marketing incentive payments; and
- (i) Allowance for property management services.

[FTR Amdt. 92, 65 FR 21365, Apr. 21, 2000]

### **§ 301-52.18 Within how many calendar days after I submit a travel claim must my agency notify me of any error that would prevent payment within 30 calendar days after submission?**

Your agency must notify you as soon as practicable after you submit your travel claim of any error that would prevent payment within 30 calendar days after submission and must provide the reason(s) why your travel claim is not proper. However, not later than May 1, 2002, agencies must achieve a maximum time period of seven working days for notifying you that your travel claim is not proper.

[FTR Amdt. 92, 65 FR 21366, Apr. 21, 2000]

### **§ 301-52.19 Will I receive a late payment fee if my agency fails to reimburse me within 30 calendar days after I submit a proper travel claim?**

Yes, your agency must pay you a late payment fee, in addition to the amount due you, for any proper travel claim not reimbursed within 30 calendar days of your submission of it to the approving official.

[FTR Amdt. 90, 65 FR 3056, Jan. 19, 2000]

### **§ 301-52.20 How are late payment fees calculated?**

Your agency must either:

- (a) Calculate late payment fees using the prevailing Prompt Payment Act Interest Rate beginning on the 31st day after submission of a proper travel claim and ending on the date on which payment is made; or
- (b) Reimburse you a flat fee of not less than the prompt payment amount, based on an agencywide average of travel claim payments; and
- (c) In addition to the fee required by paragraphs (a) and (b) of this section, your agency must also pay you an amount equivalent to any late payment charge that the card contractor would have been able to charge you had you not paid the bill.

[FTR Amdt. 92, 65 FR 21366, Apr. 21, 2000]

## § 301-52.21

### **§ 301-52.21 Is there a minimum amount the late payment fee must exceed before my agency will pay it to me?**

Yes, a late payment fee will only be paid when the computed late payment fee is \$1.00 or greater.

[FTR Amdt. 90, 65 FR 3056, Jan. 19, 2000]

### **§ 301-52.22 Will any late payment fees I receive be reported as wages on a Form W-2?**

No, the Internal Revenue Service (IRS) has determined that the late payment fee is in the nature of interest (compensation for the use of money). Your agency will report payments in accordance with IRS guidelines.

[FTR Amdt. 90, 65 FR 3056, Jan. 19, 2000]

### **§ 301-52.23 Is the additional fee, which is equal to any late payment charge that the card contractor would have been able to charge had I not paid the bill, considered income?**

Yes, your agency will report this payment as additional wages on Form W-2.

[FTR Amdt. 90, 65 FR 3056, Jan. 19, 2000]

### **§ 301-52.24 Does mandatory use of the Government contractor-issued travel charge card change my obligation to pay my travel card bill by the due date?**

No, mandatory use of the Government contractor-issued travel charge card does not relieve you of your obligation to pay your bill in accordance with your cardholder agreement.

[FTR Amdt. 90, 65 FR 3056, Jan. 19, 2000]

## **PART 301-53—USING PROMOTIONAL MATERIALS AND FREQUENT TRAVELER PROGRAMS**

Sec.

301-53.1 To whom do the pronouns “I”, “you”, and their variants refer throughout this part?

301-53.2 What may I do with promotional benefits or materials I receive from a travel service provider?

301-53.3 How may I use promotional materials and frequent traveler benefits?

301-53.4 May I select travel service providers for which my agency is not a mandatory user in order to maximize my frequent traveler benefits?

## **41 CFR Ch. 301 (7-1-09 Edition)**

301-53.5 Are there exceptions to the mandatory use of contract city-pair fares and an agency’s travel management service?

301-53.6 Is a denied boarding benefit considered a promotional item for which I may retain compensation received from an airline whether voluntary or involuntary?

AUTHORITY: 5 U.S.C. 5707; 31 U.S.C. 1353.

SOURCE: FTR Amdt. 104, 67 FR 17947, Apr. 12, 2002, unless otherwise noted.

### **§ 301-53.1 To whom do the pronouns “I”, “you”, and their variants refer throughout this part?**

The pronouns “I”, “you”, and their variants throughout this part refer to the employee.

### **§ 301-53.2 What may I do with promotional benefits or materials I receive from a travel service provider?**

Any promotional benefits or materials received from a travel service provider in connection with official travel may be retained for personal use, if such items are obtained under the same conditions as those offered to the general public and at no additional cost to the Government.

NOTE TO § 301-53.2: Promotional benefits or materials you receive from a travel service provider in connection with your planning and/or scheduling an official conference or other group travel (as opposed to performing official travel yourself) are considered property of the Government, and you may only accept the benefits or materials on behalf of the Federal Government (*see* § 301-74.1(d) of this chapter).

[FTR Amdt. 104, 67 FR 17947, Apr. 12, 2002, as amended by FTR Amdt. 2003-04, 68 FR 27936, May 22, 2003]

### **§ 301-53.3 How may I use promotional materials and frequent traveler benefits?**

Promotional materials and frequent traveler benefits may be used as follows:

(a) You may use frequent traveler benefits earned on official travel to obtain travel services for a subsequent official travel assignment(s); however, you may also retain such benefits for your personal use, including upgrading to a higher class of service while on official travel.

(b) If you are offered such benefits as a result of your role as a conference

## Temporary Duty (TDY) Travel Allowances

§ 301-54.2

planner or as a planner for other group travel, you may not retain such benefits for your personal use (see § 301-53.2 of this chapter). Rather, you may only accept such benefits on behalf of the Federal Government. Such accepted benefits may only be used for official Government business.

[FTR Amdt. 2003-04, 68 FR 27937, May 22, 2003]

### **§ 301-53.4 May I select travel service providers for which my agency is not a mandatory user in order to maximize my frequent traveler benefits?**

No, you may not select a traveler service provider based on whether it provides frequent traveler benefits. You must use the travel service provider for which your agency is a mandatory user. This includes contract passenger transportation services and travel management services. You may not choose a travel service provider to gain frequent traveler benefits for personal use. (Also see §§ 301-10.109 and 301-10.110 of this chapter.)

[FTR Amdt. 104, 67 FR 17947, Apr. 12, 2002, as amended by FTR Amdt. 2007-05, 72 FR 61539, Oct. 31, 2007]

### **§ 301-53.5 Are there exceptions to the mandatory use of contract city-pair fares and an agency's travel management service?**

Yes, the exceptions are in accordance with §§ 301-10.107 and 301-10.108 of this chapter for the mandatory use of a contract city-pair fare, and § 301-73.103 of this chapter for the mandatory use of a travel management service.

[FTR Amdt. 104, 67 FR 17947, Apr. 12, 2002, as amended by FTR Amdt. 2007-05, 72 FR 61539, Oct. 31, 2007]

### **§ 301-53.6 Is a denied boarding benefit considered a promotional item for which I may retain compensation received from an airline whether voluntary or involuntary?**

A denied boarding benefit (e.g., cash, free ticket coupon) is not a promotional item given by an airline. See the provisions of § 301-10.116 of this chapter when an airline denies you a seat (involuntary) and § 301-10.117 of this chapter when you vacate your seat (voluntary).

## **PART 301-54—COLLECTION OF UNDISPUTED DELINQUENT AMOUNTS OWED TO THE CONTRACTOR ISSUING THE INDIVIDUALLY BILLED TRAVEL CHARGE CARD**

### **Subpart A—General Rules**

Sec.

301-54.1 Is my agency allowed to collect undisputed delinquent amounts that I owe to a Government travel charge card contractor?

301-54.2 What is disposable pay?

### **Subpart B—Policies and Procedures**

301-54.100 Are there any due process requirements with which my agency must comply before collecting undisputed delinquent amounts on behalf of the charge card contractor?

301-54.101 Can my agency initiate collection of undisputed delinquent amounts if it has not reimbursed me for amounts reimbursable under the applicable travel regulations?

301-54.102 What is the maximum amount my agency may deduct from my disposable pay?

AUTHORITY: 5 U.S.C. 5707; 40 U.S.C. 121(c); Sec. 2, Pub. L. 105-264, 112 Stat. 2350 (5 U.S.C. 5701 note).

SOURCE: FTR Amdt. 90, 65 FR 3056, Jan. 19, 2000, unless otherwise noted.

### **Subpart A—General Rules**

NOTE TO SUBPART A: Use of pronouns "I", "you", and their variants throughout this subpart refers to the employee.

### **§ 301-54.1 Is my agency allowed to collect undisputed delinquent amounts that I owe to a Government travel charge card contractor?**

Yes, upon written request from the contractor, your agency may collect, from your disposable pay, any undisputed delinquent amounts that you owe to a Government travel charge card contractor.

### **§ 301-54.2 What is disposable pay?**

Disposable pay is your compensation remaining after the deduction from your earnings of any amounts required by law to be withheld. These deductions do not include discretionary deductions such as savings bonds, charitable contributions, etc. Deductions may be made from any type of pay you

**§ 301-54.100**

receive from your agency, e.g., basic pay, special pay, retirement pay, or incentive pay.

[FTR Amdt. 92, 65 FR 21366, Apr. 21, 2000]

**Subpart B—Policies and Procedures**

NOTE TO SUBPART B: Use of pronouns “I”, “you”, and their variants throughout this subpart refers to the employee.

**§ 301-54.100 Are there any due process requirements with which my agency must comply before collecting undisputed delinquent amounts on behalf of the charge card contractor?**

Yes, your agency must:

- (a) Provide you with written notice of the type and amount of the claim, the intention to collect the claim by deduction from your disposable pay, and an explanation of your rights as a debtor;
- (b) Give you the opportunity to inspect and copy their records related to the claim;
- (c) Allow an opportunity for a review within the agency of its decision to collect the amount; and

**41 CFR Ch. 301 (7-1-09 Edition)**

(d) Provide you with an opportunity to make a written agreement with the contractor to repay the delinquent amount of the claim.

**§ 301-54.101 Can my agency initiate collection of undisputed delinquent amounts if it has not reimbursed me for amounts reimbursable under the applicable travel regulations?**

No, your agency may only collect undisputed delinquent amounts for which you have been reimbursed under the applicable travel regulations. However, if you have not submitted a proper travel claim within the timeframe requirements of § 301-52.7 of this chapter, and there are no extenuating circumstances, your agency may collect the undisputed delinquent amounts based on the amounts charged on the travel charge card.

**§ 301-54.102 What is the maximum amount my agency may deduct from my disposable pay?**

As set forth in Public Law 105-264, 112 Stat. 2350, October 19, 1998, the maximum amount your agency may deduct from your disposable pay is 15 percent a pay period, unless you agree in writing to a larger percentage.