

## Temp. Duty (TDY) Travel Allowances

## § 301-52.2

### § 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.

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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 official travel-related expenses incurred at the TDY location for authorized telephone calls, transit system fares, and parking meter fees, except any individual expenses costing over \$75 must be listed separately;

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(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.

[FTR Amdt. 70, 63 FR 15969, Apr. 1, 1998, as amended at FTR Amdt. 2010-02, 75 FR 24436, May 5, 2010]

### § 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]

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### § 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;

(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 as prescribed by the National Archives and Records Administration (NARA) under General Records Schedule 1.1, item 010 (<https://www.archives.gov/files/records-mgmt/grs/grs01-1.pdf>).

[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; FTR Amdt. 2011-03, 76 FR 55275, Sept. 7, 2011; 85 FR 39849, July 2, 2020]

### § 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.

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### § 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.

### § 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 Civilian Board of Contract Appeals in accordance with 48 CFR part 6104.

[FTR Amdt. 70, 63 FR 15969, Apr. 1, 1998, as amended at 85 FR 39849, July 2, 2020]

### § 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.

### § 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

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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 In-

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terest 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 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]

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## § 301-53.5

### 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?

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 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* §§ 301-10.113 and 301-10.114 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; FTR Case 2020-300-1, 87 FR 55706, Sept. 12, 2022]

#### § 301-53.5 Are there exceptions to the mandatory use of contract City Pair Program fares and an agency’s travel management service?

Yes, the exceptions are in accordance with §§ 301-10.111 and 301-10.112 of this chapter for the mandatory use of a contract City Pair Program fare, and § 301-