

Temp. Duty (TDY) Travel Allowances

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§ 301-70.706 For what purposes may an employee use the Government contractor-issued travel charge card while on official travel?

An employee is required to use the Government contractor-issued travel charge card for expenses directly related to official travel.

[FTR Amdt. 2010-02, 75 FR 24436, May 5, 2010]

§ 301-70.707 May an employee use the Government contractor-issued travel charge card for personal use while on official travel?

No, an employee may not use the Government contractor-issued travel charge card for personal use while on official travel.

[FTR Amdt. 2010-02, 75 FR 24436, May 5, 2010]

§ 301-70.708 What actions may we take if an employee fails to activate the Government contractor-issued travel charge card and/or misuses the travel charge card?

Internal agency policies and procedures should be established defining what are considered to be misuses of the Government contractor-issued travel charge card. Appropriate action may be taken pursuant to those policies if an employee fails to activate the Government contractor-issued travel charge card within 60 days of receipt or misuses the travel charge card.

[FTR Amdt. 2016-01, 81 FR 63138, Sept. 14, 2016]

§ 301-70.709 What can we do to reduce travel charge card delinquencies?

To reduce travel charge card delinquencies by your employees, you should consider implementing one or more of the following suggestions (this list is not comprehensive; you may adopt other appropriate procedures):

(a) Agency travel program coordinators must be trained and aware of their responsibilities and the delinquency management tools available under your agreement with the travel charge card contractor.

(b) Ensure that managers and supervisors are provided monthly delinquency and questionable charges report.

(c) Periodically, but at least once a year, verify that cardholders are still current employees.

(d) For inactive accounts (cards not used within 6 months, one year, etc., reduce card limit to \$1, increase dollar limit when necessary.

(e) Work with the charge card contractor to block certain high-risk category codes (e.g., department stores, automobile dealerships, specialty stores), etc.

(f) Review ATM cash withdrawals for reasonableness and association with official travel.

(g) Implement a salary offset program. (See part 301-76 of this chapter).

(h) Implement split disbursement in your travel vouchering system, so that an employee may authorize you to make certain payments directly to the charge card contractor on the employee's behalf.

(i) Refer potential fraud cases to your agency IG for investigation.

(j) Information on travel cardholder training is available at <https://smartpay.gsa.gov/content/training>.

(k) Ensure that employees turn in their travel charge card when they retire or leave the agency.

[FTR Amdt. 108, 67 FR 57967, Sept. 13, 2002, as amended by FTR Amdt. 2007-05, 72 FR 61539, Oct. 31, 2007. Redesignated by FTR Amdt. 2010-02, 75 FR 24436, May 5, 2010, as amended at 85 FR 39849, July 2, 2020]

Subpart I—Policies and Procedures for Agencies That Authorize Travel on Government Aircraft

SOURCE: FTR Amdt. 2004-02, 69 FR 34305, June 21, 2004, unless otherwise noted.

§ 301-70.800 Whom may we authorize to travel on Government aircraft?

You may authorize Federal travelers, non-Federal travelers, and any other passengers, as defined in part 300-3 of this subtitle, to travel on Government aircraft, subject to the rules in this subpart. Because the taxpayers generally should pay no more than necessary for transportation of travelers, except for required use travel, you may authorize travel on Government aircraft only when a Government aircraft

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is the most cost-effective mode of travel and the traveler is traveling for Governmental purposes.

§ 301-70.801 When may we authorize travel on Government aircraft?

You may authorize travel on Government aircraft only as follows:

(a) For official travel when—

(1) No scheduled commercial airline service is reasonably available to fulfill your agency's travel requirement (*i.e.*, able to meet the traveler's departure and/or arrival requirements within a 24-hour period, unless you demonstrate that extraordinary circumstances require a shorter period); or

(2) The cost of using a Government aircraft is not more than the cost of the city-pair fare for scheduled commercial airline service or the cost of the lowest available full coach fare if a city-pair fare is not available to the traveler.

(b) For required-use travel, *i.e.*, when the traveler is authorized to use Government aircraft because of bona fide communications needs (e.g., 24-hour secure communications are required) or security reasons (e.g., highly unusual circumstances that present a clear and present danger to the traveler) or exceptional scheduling requirements (e.g., a national emergency or other compelling operational considerations). Required-use travel may include travel for official, personal, or political purposes, but must be approved in accordance with §§ 301-10.262(a) and 301-70.803(a).

(c) For space available travel when—

(1) The aircraft is already scheduled for use for an official purpose and carrying an official traveler(s) on the aircraft does not cause the need for a larger aircraft or result in more than minor additional cost to the Government; or

(2) The Federal traveler or the dependent of a Federal traveler is stationed by the Government in a remote location not accessible to commercial airline service; or

(3) The traveler is authorized to travel space available under 10 U.S.C. 2648

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and regulations implementing that statute.

[FTR Amdt. 2004-02, 69 FR 34305, June 21, 2004, as amended by FTR Amdt. 2010-04, 75 FR 59095, Sept. 27, 2010]

§ 301-70.802 Must we ensure that travel on Government aircraft is the most cost-effective alternative?

(a) Yes, you must ensure that travel on a Government aircraft is the most cost-effective alternative that will meet the travel requirement. Your designated travel approving official must—

(1) Compare the cost of all travel alternatives, as applicable, that is—

(i) Travel on a scheduled commercial airline;

(ii) Travel on a Federal aircraft;

(iii) Travel on a Government aircraft hired as a commercial aviation service (CAS); and

(iv) Travel by other available modes of transportation; and

(2) Approve only the most cost-effective alternative that meets your agency's needs.

(3) Consider the cost of non-productive or lost work time while in travel status and certain other costs when comparing the costs of using Government aircraft in lieu of scheduled commercial airline service and other available modes of transportation. Additional information on costs included in the cost comparison may be found in the "U.S. Government Aircraft Cost Accounting Guide," published by the General Services Administration, Office of Government-wide Policy. To obtain a copy of the guide, please contact aviationpolicy@gsa.gov.

(b) The aircraft management office in the agency that owns or hires the Government aircraft must provide your designated travel-approving official with cost estimates for a Government aircraft trip (*i.e.*, a Federal aircraft trip cost or a CAS aircraft trip cost).

(c) When an agency operates a Government aircraft to fulfill a non-travel related governmental function or for required use travel, using any space available for passengers on official travel is presumed to result in cost savings.

[FTR Amdt. 2004-02, 69 FR 34305, June 21, 2004, as amended at 85 FR 39849, July 2, 2020]

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§ 301-70.803 How must we authorize travel on a Government aircraft?

You must authorize travel on a Government aircraft as follows:

(a) *For required-use travel.* Your agency must first establish written standards for determining the special circumstances under which it will require travelers to use Government aircraft. Then, following those standards, your agency's senior legal official or his/her principal deputy must authorize required-use travel on a trip-by-trip basis in advance and in writing, unless—

(1) The traveler is an agency head, and the President has determined that all of his or her travel, or travel in specified categories, requires the use of Government aircraft; or

(2) Your agency head has determined in writing that all travel, or travel in specified categories, by another traveler requires the use of Government aircraft.

NOTE TO § 301-70.803(a): In an emergency situation, prior verbal approval for required-use travel with an after-the-fact written authorization is permitted.

(b) *For travel by senior Federal officials.* Your agency's senior legal official or his/her principal deputy must authorize all travel on Government aircraft by senior Federal officials on a trip-by-trip basis, in advance and in writing, except for required use travel authorized under paragraphs (a)(1) or (a)(2) of this section. In an emergency situation, prior verbal approval with an after-the-fact written authorization by your agency's senior legal official is permitted. Senior Federal officials who are crewmembers or qualified non-crewmembers on a flight in which they are also traveling (*i.e.*, being transported from point-to-point) are considered travelers and must be authorized to travel on Government aircraft according to this paragraph.

(c) *For travel by non-Federal travelers.* If you are the sponsoring agency for a non-Federal traveler, your senior legal official or his/her deputy must authorize all travel on Government aircraft by that non-Federal traveler on a trip-by-trip basis, in advance and in writing. In an emergency situation, prior verbal approval with an after-the-fact

written authorization by your agency's senior legal official is permitted.

(d) *For all other travel.* (1) Your agency's designated travel approving official (or anyone to whom he/she delegates this authority and who is at least one organizational level above the traveler) must authorize, in advance and in writing, all other travel on Government aircraft (*i.e.*, by passengers, crewmembers, or qualified non-crewmembers) that is not covered in paragraphs (a), (b), and (c) of this section. In an emergency situation, prior verbal approval with an after-the-fact written authorization by your agency's designated travel approving official is permitted. If your agency wishes to issue blanket travel authorizations that authorize travel on Government aircraft, such blanket authorizations must define the circumstances that must be met for using Government aircraft in compliance with this regulation and any additional agency policies. Travel on Government aircraft that does not meet the circumstances specified in the blanket travel authorization must be authorized on a trip-by-trip basis in accordance with this regulation and other applicable agency policies.

(2) When authorizing space available travel (except as authorized under 10 U.S.C. 2648 and regulations implementing that statute), you must ensure that the aircraft management office in the agency that owns or hires the aircraft has certified in writing before the flight that the aircraft is scheduled to be used for a bona fide governmental function. Bona fide governmental functions may include support for official travel. The aircraft management office must also certify that carrying a traveler(s) in space available does not cause the need for a larger aircraft or result in more than minor additional cost to the Government. The aircraft management office must retain this certification for two years. In an emergency situation, prior verbal confirmation of this information with an after-the-fact written certification is permitted.

[FTR Amdt. 2004-02, 69 FR 34305, June 21, 2004, as amended by FTR Amdt. 2010-04, 75 FR 59095, Sept. 27, 2010]

§ 301-70.804

§ 301-70.804 What amount must the Government be reimbursed for travel on a Government aircraft?

(a) No reimbursement is required for official travel on a Government aircraft.

(b) For personal travel on Government aircraft, reimbursement depends upon which of the following special cases applies:

(1) You must require a traveler on required-use travel to reimburse the Government for the excess of the full coach fare for all flights taken on a trip over the full coach fare for the flights that he/she would have taken had he/she not engaged in personal activities during the trip; and

(2) No reimbursement is required for travel authorized under 10 U.S.C. 2648 and regulations implementing that statute, or when the traveler and his/her dependents are stationed by the Government in a remote location with no access to regularly scheduled commercial airline service.

(c) For political travel on a Government aircraft (*i.e.*, for any trip or part of a trip during which the traveler engages in political activities), you must require that the Government be reimbursed the excess of the full coach fare for all flights taken on the trip over the full coach fare for the flights that the traveler would have taken had he/she not engaged in political activities, except if other law or regulation specifies a different amount (see, *e.g.*, 11 CFR 106.3, "Allocation of Expenses between Campaign and Non-campaign Related Travel"), in which case the amount reimbursed is the amount required by such law or regulation.

[FTR Amdt. 2004-02, 69 FR 34305, June 21, 2004, as amended by FTR Amdt. 2010-04, 75 FR 59095, Sept. 27, 2010]

§ 301-70.805 Must we include special information on a travel authorization for a senior Federal official or a non-Federal traveler who travels on Government aircraft?

Yes, you must include the following information on a travel authorization for a senior Federal official or a non-Federal traveler:

(a) Traveler's name with indication that the traveler is either a senior Fed-

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eral official or a non-Federal traveler, whichever is appropriate.

(b) The traveler's organization and title or other appropriate descriptive information, *e.g.*, dependent, press, etc.

(c) Name of the authorizing agency.

(d) The official purpose of the trip.

(e) The destination(s).

(f) For personal or political travel, the amount that the traveler must reimburse the Government (*i.e.*, the full coach fare or appropriate share of that fare).

(g) For official travel, the comparable city-pair fare (if available to the traveler) or full coach fare if a city-pair fare is not available.

§ 301-70.806 What documentation must we retain for travel on Government aircraft?

You must retain all travel authorizations and cost-comparisons for travel on Government aircraft for two years.

§ 301-70.807 Must we make information available to the public about travel by senior Federal officials and non-Federal travelers on Government aircraft?

Yes, an agency that authorizes travel on Government aircraft must make records about travelers on those aircraft available to the public in response to written requests under the Freedom of Information Act (5 U.S.C. 552), except for portions exempt from disclosure under that Act (such as classified information).

§ 301-70.808 Do the rules in this part apply to travel on Government aircraft by the President and Vice President or by individuals traveling in support of the President and Vice President?

Given the unique functions and needs of the presidency and the vice presidency, section 4 of Circular A-126, "Improving the Management and Use of Government Aircraft," Revised May 1992, makes clear that Circular A-126 does not apply to aircraft while in use by or in support of the President or Vice President. Since the principal purpose of the rules in this part is to implement Circular A-126, the rules in this part also do not apply to such travel. If any questions arise regarding travel related to the President or Vice

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President, contact the Office of the Counsel to the President or the Office of the Counsel to the Vice President, respectively.

with an after-the-fact written certification is permitted.

[FTR Amdt. 2004-02, 69 FR 34305, June 21, 2004, as amended at 85 FR 39849, July 2, 2020]

Subpart J—Policies and Procedures for Agencies That Own or Hire Government Aircraft for Travel

§ 301-70.903 What are our responsibilities for ensuring that Government aircraft are the most cost-effective alternative for travel?

SOURCE: FTR Amdt. 2004-02, 69 FR 34305, June 21, 2004, unless otherwise noted.

To help ensure that Government aircraft are the most cost-effective alternative for travel, your aircraft management office must calculate the cost of a trip on your aircraft, whether Federal aircraft or CAS aircraft, and submit that information to the traveler's designated travel-approving official upon request. The designated travel-approving official must use that information to compare the cost of using Government aircraft with the cost of scheduled commercial airline service and the cost of using other available modes of transportation. When you operate a Government aircraft to fulfill a non-travel related governmental function or for required use travel, using any space available for passengers on official travel is presumed to result in cost savings. For guidance on how and when to calculate the cost of a trip on a Government aircraft, see the "U.S. Government Aircraft Cost Accounting Guide," published by the General Services Administration, Office of Government-wide Policy. To obtain a copy of the guide, please contact aviationpolicy@gsa.gov.

[FTR Amdt. 2004-02, 69 FR 34305, June 21, 2004, as amended at 85 FR 39849, July 2, 2020]

§ 301-70.900 May we use our Government aircraft to carry passengers?

Yes. You may use Government aircraft, *i.e.*, aircraft that you own, borrow, operate as a bailed aircraft, or hire as a commercial aviation service (CAS), to carry Federal and non-Federal travelers, but only in accordance with the rules in 41 CFR 102-33.215 and 102-33.220 and the regulations in this part.

§ 301-70.901 Who may approve use of our Government aircraft to carry passengers?

Your agency head or his/her designee must approve the use of your agency's Government aircraft for travel, *i.e.*, for carrying passengers and any crewmembers or qualified non-crewmembers who are also traveling. This approval must be in writing and may be for recurring travel.

§ 301-70.902 Do we have any special responsibilities related to space available travel on our Government aircraft?

Yes, except for travel authorized under 10 U.S.C. 2648 and regulations implementing that statute, you must certify in writing before carrying passengers on a space available basis on your Government aircraft that the aircraft is scheduled to perform a bona fide governmental function. Bona fide governmental functions may include support for official travel. You must also certify that carrying a passenger in space available does not cause the need for a larger aircraft and does not result in more than minor additional cost to the Government. Your aircraft management office must retain this certification for two years. In an emergency situation, prior verbal approval

§ 301-70.904 Must travelers whom we carry on Government aircraft be authorized to travel?

Yes, every traveler on one of your aircraft must have a written travel authorization from an authorizing executive agency, and he/she must present that authorization, before the flight, to the aircraft management office or its representative in the organization that owns or hires the Government aircraft. In addition to all passengers, those crewmembers and qualified non-crewmembers on a flight in which they are also traveling (*i.e.*, being transported from point to point) are considered travelers and must also be authorized to travel on Government aircraft.