

Temp. Duty (TDY) Travel Allowances

§ 301-10.124

§ 301-10.113 What is my liability for unauthorized use of a non-contract carrier when contract service is available and I do not meet one of the exceptions for required use?

You are responsible for any additional costs or penalties incurred by you resulting from unauthorized use of non-contract service.

[FTR Case 2020-300-1, 87 FR 55704, Sept. 12, 2022]

§ 301-10.114 May I use contract passenger transportation service for personal travel?

No, you may not use contract passenger transportation service for personal travel.

[FTR Case 2020-300-1, 87 FR 55704, Sept. 12, 2022]

§§ 301-10.115—301-10.117 [Reserved]

AIRLINE ACCOMMODATIONS

§§ 301-10.118—301-10.119 [Reserved]

§ 301-10.120 What must I do when different airlines furnish the same service at different fares?

When there is no contract City Pair Program fare and other carriers furnish the same service at different fares between the same points for the same type of accommodations, you must use the lowest cost service unless your agency determines that the use of higher cost service is more advantageous to the Government.

[FTR Case 2020-300-1, 87 FR 55704, Sept. 12, 2022]

§ 301-10.121 When may I use coach class seating upgrade programs?

Use of upgraded coach class seating options is generally a traveler's personal choice and therefore is at the traveler's personal expense. However, your agency approving official may approve reimbursement of the additional seat choice fee according to part 301-13 of this chapter or internal agency policy (see § 301-70.102(k)).

[FTR Case 2020-300-1, 87 FR 55704, Sept. 12, 2022]

§ 301-10.122 What must I do with compensation an airline gives me if it denies me a seat on a plane?

If you are performing official travel and a carrier denies you a confirmed reserved seat on a plane, you must give your agency any payment you receive for liquidated damages. You must ensure the carrier shows the "Treasurer of the United States" as payee on the compensation check and then forward the payment to the appropriate agency official.

[FTR Case 2020-300-1, 87 FR 55704, Sept. 12, 2022]

§ 301-10.123 May I keep compensation an airline gives me for voluntarily vacating my seat on my scheduled airline flight when the airline asks for volunteers?

(a) Yes, you may keep airline compensation if:

(1) Voluntarily vacating your seat will not interfere with performing your official duties; and

(2) Additional travel expenses, incurred as a result of vacating your seat, are borne by you and are not reimbursed by the Government.

(b) If volunteering delays your travel during duty hours, your agency will charge you with annual leave for the additional hours.

[FTR Case 2020-300-1, 87 FR 55704, Sept. 12, 2022]

§ 301-10.124 When may I use a reduced group or charter fare?

You may use a reduced group or charter fare when your agency has determined, on an individual case basis before your travel begins, that use of such a fare is cost effective. Chartered aircraft are subject to the same rules as Government aircraft, and agencies in the executive branch of the Federal Government are subject to the requirements of Office of Management and Budget (OMB) Circular A-126 and 41 CFR part 102-33 in making such cost effectiveness determinations.

[FTR Case 2020-300-1, 87 FR 55704, Sept. 12, 2022]

§§ 301-10.125—301-10.129

41 CFR Ch. 301 (7-1-23 Edition)

§§ 301-10.125—301-10.129 [Reserved]

USE OF UNITED STATES FLAG AIR CARRIERS

SOURCE: FTR Amdt. 74, 63 FR 63419, Nov. 13, 1998, unless otherwise noted.

§ 301-10.130 [Reserved]

§ 301-10.131 What does United States mean?

For purposes of the use of United States flag air carriers, *United States* means the 50 states, the District of Columbia, and the territories and possessions of the United States (49 U.S.C. 40102).

§ 301-10.132 Who is required to use a U.S. flag air carrier?

Anyone whose air travel is financed by U.S. Government funds, except as provided in § 301-10.135, §§ 301-10.136, and 301-10.137.

§ 301-10.133 What is a U.S. flag air carrier?

An air carrier which holds a certificate under 49 U.S.C. 41102 but does not include a foreign air carrier operating under a permit.

§ 301-10.134 What is U.S. flag air carrier service?

U.S. flag air carrier service is service provided on an air carrier which holds a certificate under 49 U.S.C. 41102 and which service is authorized either by the carrier's certificate or by exemption or regulation. U.S. flag air carrier service also includes service provided under a code share agreement with a foreign air carrier in accordance with Title 14, Code of Federal Regulations when the ticket, or documentation for an electronic ticket, identifies the U.S. flag air carrier's designator code and flight number.

§ 301-10.135 When must I travel using U.S. flag air carrier service?

You are required by 49 U.S.C. 40118, commonly referred to as the "Fly America Act," to use U.S. flag air carrier service for all air travel funded by the U.S. Government, except as provided in §§ 301-10.136 and 301-10.137 or when one of the following exceptions applies:

(a) Use of a foreign air carrier is determined to be a matter of necessity in accordance with § 301-10.138; or

(b) The transportation is provided under a bilateral or multilateral air transportation agreement to which the United States Government and the government of a foreign country are parties, and which the Department of Transportation has determined meets the requirements of the Fly America Act.

(1) Information on bilateral or multilateral air transportation agreements impacting United States Government procured transportation can be accessed at <https://www.gsa.gov/openskies>; and

(2) If determined appropriate, GSA may periodically issue FTR Bulletins providing further guidance on bilateral or multilateral air transportation agreements impacting United States Government procured transportation. These bulletins may be accessed at <https://www.gsa.gov/ftrbulletins>.

(c) You are an officer or employee of the Department of State or the United States Agency for International Development, and your travel is paid with funds appropriated to one of these agencies, and your travel is between two places outside the United States; or

(d) No U.S. flag air carrier provides service on a particular leg of the route, in which case foreign air carrier service may be used, but only to or from the nearest interchange point on a usually traveled route to connect with U.S. flag air carrier service; or

(e) A U.S. flag air carrier involuntarily reroutes your travel on a foreign air carrier; or

(f) Service on a foreign air carrier would be three hours or less, and use of the U.S. flag air carrier would at least double your en route travel time; or

(g) When the costs of transportation are reimbursed in full by a third party, such as a foreign government, international agency, or other organization.

[FTR Amdt. 74, 63 FR 63419, Nov. 13, 1998, as amended by FTR Amdt. 2009-02, 74 FR 2397, Jan. 15, 2009; 85 FR 39848, July 2, 2020]