

## Temp. Duty (TDY) Travel Allowances

## § 301-71.207

deploys ETS and implements electronic scanning, the electronic travel claim includes scanned electronic images of such documents.

[FTR Amdt. 70, 63 FR 15974, Apr. 1, 1998, as amended by FTR Amdt. 2006-04, 71 FR 49375, Aug. 23, 2006]

### **§ 301-71.202 May we pay a claim when an employee does not include a copy of the corresponding authorization?**

Yes, as long as the travel claim was signed by the approving/authorizing official, except for the following, which require advance authorization:

- (a) Use of reduced fares for group or charter arrangements;
- (b) Payment of a reduced rate of per diem for subsistence expenses;
- (c) Acceptance of payment from a non-Federal source for travel expenses; and
- (d) Travel expenses related to attendance at a conference.

### **§ 301-71.203 Who is responsible for the validity of the travel claim?**

The certifying officer assumes ultimate responsibility under 31 U.S.C. 3528 for the validity of the claim; however:

- (a) The traveler must ensure all travel expenses are prudent and necessary and submit the expenses in the form of a proper claim;
- (b) The authorizing/approving official shall review the completed claim to ensure that the claim is properly prepared in accordance with regulations and agency procedures prior to authorizing it for payment.

NOTE TO § 301-71.203: You should consider limiting the levels of approval to the lowest level of management.

### **§ 301-71.204 Within how many calendar days after the submission of a proper travel claim must we reimburse the employee's allowable expenses?**

You must reimburse the employee within 30 calendar days after the employee submits a proper travel claim to the agency's designated approving office. You must use a satisfactory recordkeeping system to track submission of travel claims. For example, travel claims submitted by mail, in accordance with agency policy, could be an-

notated with the time and date of receipt by the agency. You 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 21366, Apr. 21, 2000]

### **§ 301-71.205 Under what circumstances may we disallow a claim for an expense?**

If the employee:

- (a) Does not properly itemize his/her expenses;
- (b) Does not provide required receipts or other documentation to support the claim; or
- (c) Claims an expense which is not authorized.

### **§ 301-71.206 What must we do if we disallow a travel claim?**

You must:

- (a) Pay the employee the amount of the travel claim which is not in dispute;
- (b) Notify the employee that the claim was disallowed with a detailed explanation of why; and
- (c) Tell the employee how to appeal the disallowance if he/she desires an appeal, and your process and schedule for deciding the appeal.

### **§ 301-71.207 What internal policies and procedures must we establish for travel reimbursement?**

You must establish policies and procedures governing:

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(a) Who are the proper officials to review, approve, and certify travel claims (including travel claims requiring special authorization);

(b) How an employee should submit a travel claim (including whether to use a standard form or an agency form and whether the form should be written or electronic);

(c) When you will exempt employees from the requirement for a receipt;

(d) Timeframes for employee to submit a claim (see §301-52.7);

(e) Timeframe for agency to pay a claim (see §301-71.204);

(f) Process for disallowing a claim; and

(g) Process for resolving a disallowed claim.

### **§301-71.208 Within how many calendar days after submission of a proper travel claim must we notify the employee of any errors in the claim?**

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

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

### **§301-71.209 Must we pay a late payment fee if we fail to reimburse the employee within 30 calendar days after receipt of a proper travel claim?**

Yes, a late payment fee, in addition to the amount due the employee, must be paid for any proper travel claim not reimbursed within 30 calendar days of submission to the approving official.

[FTR Amdt. 92, 65 FR 3057, Jan. 19, 2000]

### **§301-71.210 How do we calculate late payment fees?**

Late payment fees are calculated either by:

(a) 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

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(b) 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, you must also pay an amount equivalent to any late payment charge that the card contractor would have been able to charge had the employee not paid the bill. Payment of this additional fee will be based upon the effective date that a late payment charge would be allowed under the agreement between the employee and the card contractor.

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

### **§301-71.211 Is there a minimum amount the late payment fee must exceed before we will pay it?**

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 3058, Jan. 19, 2000]

### **§301-71.212 Should we report late payment fees 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).

[FTR Amdt. 90, 65 FR 3058, Jan. 19, 2000]

### **§301-71.213 Is the additional fee, which is the equivalent to any late payment charge that the card contractor would have been able to charge had the employee not paid the bill, considered income?**

Yes, you must report this late payment fee as additional wages on Form W-2.

[FTR Amdt. 90, 65 FR 3058, Jan. 19, 2000]

### **§301-71.214 Does mandatory use of the Government contractor-issued travel charge card change the employee's obligation to pay his/her travel card bill by the due date?**

No, mandatory use of the Government contractor-issued travel charge card does not relieve the employee of his/her obligation to honor his/her cardholder payment agreement.

[FTR Amdt. 90, 65 FR 3058, Jan. 19, 2000]