

Temp. Duty (TDY) Travel Allowances

§ 301-76.100

[FTR Amdt. 70, 63 FR 15980, Apr. 1, 1998; 63 FR 35538, June 30, 1998, as amended by FTR Amdt. 108, 67 FR 57968, Sept. 13, 2002; 85 FR 39850, July 2, 2020; FTR Case 2022-05, 89 FR 12253, Feb. 16, 2024]

§ 301-75.203 May we provide the interviewee with a travel advance?

No.

§ 301-75.204 May we use Government contractor-issued travelers checks to pay for the interviewee's travel expenses?

No.

§ 301-75.205 Is the interviewee required to submit a travel claim to us?

No. Only if the interviewee wants to be reimbursed, then they must submit a travel claim in accordance with your agency procedures in order to receive reimbursement for pre-employment interview travel expense.

[FTR Amdt. 70, 63 FR 15980, Apr. 1, 1998, as amended by FTR Case 2022-05, 89 FR 12253, Feb. 16, 2024]

PART 301-76—COLLECTION OF UNDISPUTED DELINQUENT AMOUNTS OWED TO THE CONTRACTOR ISSUING THE INDIVIDUALLY BILLED TRAVEL CHARGE CARD

Subpart A—General Rules

Sec.

301-76.1 May we collect undisputed delinquent amounts that an employee (including members of the uniformed services) owes to a Government travel charge card contractor?

301-76.2 What is disposable pay?

Subpart B—Policies and Procedures

301-76.100 Are there any due process requirements with which we must comply before collecting undisputed delinquent amounts on behalf of the charge card contractor?

301-76.101 Who is responsible for ensuring that all due process and legal requirements have been met?

301-76.102 Can we collect undisputed delinquent amounts if we have not reimbursed the employee for amounts reimbursable under applicable travel regulations?

301-76.103 What is the maximum amount we may deduct from the employee's 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 3058, Jan. 19, 2000, unless otherwise noted.

Subpart A—General Rules

NOTE TO SUBPART A: Use of pronouns “we”, “you”, and their variants throughout this part refers to the agency.

§ 301-76.1 May we collect undisputed delinquent amounts that an employee (including members of the uniformed services) owes to a Government travel charge card contractor?

Yes, upon written request from the contractor and in accordance with the procedures specified in § 301-76.100, you may collect undisputed amounts owed to a Government travel charge card contractor from the delinquent employee's disposable pay. You must promptly forward all amounts deducted to the contractor.

§ 301-76.2 What is disposable pay?

Disposable pay is the part of the employee's compensation remaining after the deduction 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, e.g., basic pay, special pay, retirement pay, or incentive pay.

[FTR Amdt. 92, 65 FR 21367, Apr. 21, 2000]

Subpart B—Policies and Procedures

NOTE TO SUBPART B: Use of pronouns “we”, “you”, and their variants throughout this part refers to the agency.

§ 301-76.100 Are there any due process requirements with which we must comply before collecting undisputed delinquent amounts on behalf of the charge card contractor?

Yes, you must:

§ 301-76.101

(a) Provide the employee with written notice of the type and amount of the claim, the intention to collect the claim by deduction from the employee's disposable pay, and an explanation of the employee's rights as a debtor;

(b) Give the employee the opportunity to inspect and copy your records related to the claim;

(c) Allow an opportunity for a review within the agency of your decision to collect the amount; and

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

[FTR Amdt. 90, 65 FR 3058, Jan. 19, 2000, as amended by FTR Case 2022-05, 89 FR 12253, Feb. 16, 2024]

§ 301-76.101 Who is responsible for ensuring that all due process and legal requirements have been met?

You are responsible for ensuring that all requirements have been met.

§ 301-76.102 Can we collect undisputed delinquent amounts if we have not reimbursed the employee for amounts reimbursable under applicable travel regulations?

No, you may only collect undisputed delinquent amounts after you have reimbursed the employee under the applicable travel regulations and in accordance with a proper travel claim. However, if the employee has not submitted a proper travel claim within the timeframe requirements of § 301-52.7 of this chapter, and there are no extenu-

41 CFR Ch. 301 (7-1-24 Edition)

ating circumstances, you may collect the undisputed delinquent amounts.

§ 301-76.103 What is the maximum amount we may deduct from the employee's disposable pay?

As set forth in Public Law 105-264, 112 Stat. 2350, October 19, 1998, the maximum amount you may deduct from the employee's disposable pay is 15 percent per pay period, unless the employee consents in writing to deduction of a greater percentage.

PARTS 301-77—301-99 [RESERVED]

APPENDIX A TO CHAPTER 301—PRESCRIBED MAXIMUM PER DIEM RATES FOR CONUS

For the Continental United States (CONUS) *per diem* rates, see applicable FTR *Per Diem* Bulletins, issued periodically and available on the Internet at <https://www.gsa.gov/perdiem>.

[FTR Amdt. 2003-03, 68 FR 22314, Apr. 28, 2003, as amended at 85 FR 39850, July 2, 2020]

APPENDIX B TO CHAPTER 301—ALLOCATION OF M&IE RATES TO BE USED IN MAKING DEDUCTIONS FROM THE M&IE ALLOWANCE

For the meals and incidental expenses (M&IE) deduction amounts for localities in CONUS, non-foreign areas, and foreign areas, visit <https://www.gsa.gov/mie>. Any updates to the amounts will be noted in FTR *Per Diem* Bulletins, issued periodically and available on the internet.

[FTR Amdt. 2018-01, 83 FR 30078, June 27, 2018, as amended at 85 FR 39850, July 2, 2020]

APPENDIX C TO CHAPTER 301—STANDARD DATA ELEMENTS FOR FEDERAL TRAVEL [TRAVELER IDENTIFICATION]

Group name	Data elements	Description
Travel Authorization	Authorization Number	Assigned by the appropriate office.
Employee Name	First Name, Middle Initial, Last Name.	Agency guidelines may specify the order, e.g., last name first.
Employee Identification	Employee Number	Must use a number, e.g., SSN, vendor number, or other number that identifies the employee.