

Pt. 304-3

agency (*i.e.*, electronic fund transfer (EFT), money order, charge card, etc.) or payment in kind.

Payment in kind means transportation, food, lodging, or other travel-related services provided by a non-Federal source instead of monetary payments to the Federal agency for these services. Payment in kind also includes waiver or discount of any fees that a non-Federal source collects from meeting attendees (*e.g.*, registration fees), but does not include waivers or discounts of an employee's fees on the day(s) they are participating in the meeting or similar function as a speaker, panelist, or presenter.

Travel, subsistence, and related expenses (travel expenses) means the same types of expenses payable under chapter 301 of this title, the Foreign Affairs Manual (FAM), and the Joint Travel Regulations (JTR) for transportation, food, lodging or other travel-related services for official travel (*e.g.*, baggage expenses, services of guides, drivers, interpreters, communication services, hire of conference rooms, lodging taxes, laundry/dry cleaning, taxi or TNC fares, or the cost of utilizing an innovative mobility technology company, etc). These expenses also include conference or training fees (in whole or in part), as well as benefits that cannot be paid under the applicable travel regulations, but which are incident to the meeting, provided in kind, and made available by the meeting sponsor(s) to all attendees. For example, this definition as applied to this chapter would allow an employee or spouse to attend a sporting event hosted by the sponsor(s) in connection with the meeting that is available to all participants. However, it would not allow the employee to accept tickets to a professional sporting event, concert or similar event, for use at a later date even if such tickets were given to all other participants. The Foreign Affairs Manual is available at <https://fam.state.gov>. The Joint Travel Regulations are available at <https://>

41 CFR Ch. 304 (7-1-24 Edition)

www.defensetravel.dod.mil/site/travelreg.cfm.

[FTR Amdt. 2003-02, 68 FR 12604, Mar. 17, 2003, as amended by FTR Amdt. 2017-01, 83 FR 605, Jan. 5, 2018; 84 FR 55248, Oct. 16, 2019; 85 FR 39850, July 2, 2020; FTR Case 2022-05, 89 FR 12257, Feb. 16, 2024]

PART 304-3—EMPLOYEE RESPONSIBILITY

Subpart A—General

Sec.

- 304-3.1 To whom do the pronouns “I”, “you”, and their variants refer throughout this part?
- 304-3.2 What is the purpose of this part?
- 304-3.3 May my agency or I accept payment for travel expenses to a meeting from a non-Federal source?
- 304-3.4 What payments may my agency or I accept from a non-Federal source?
- 304-3.5 May I solicit payment of my travel expenses from a non-Federal source to attend a meeting?
- 304-3.6 May I inform a non-Federal source of my agency's authority to accept payment for travel expenses to attend a meeting?
- 304-3.7 What must I do if I am contacted directly by a non-Federal source offering to pay my travel expenses to attend a meeting?
- 304-3.8 Must I adhere to the provisions of the Fly America Act when I receive air transportation to a meeting furnished or paid by a non-Federal source?
- 304-3.9 May I use other than coach class accommodations on common carriers when a non-Federal source pays in full for my common carrier transportation expenses to attend a meeting?
- 304-3.10 Is my agency's acceptance of a waived or discounted registration fee from a non-Federal sponsor of a meeting or similar function considered a payment in kind for the day(s) I am participating as a speaker, panelist, or presenter at the event?
- 304-3.11 Am I limited to the maximum subsistence allowances (per diem or actual expense) prescribed in applicable travel regulations for travel expenses paid by a non-Federal source?
- 304-3.12 Must I receive advance approval from my agency before I perform travel paid by a non-Federal source to attend a meeting?
- 304-3.13 After I begin travel to a meeting, what should I do if a non-Federal source offers to pay for one or more of my travel expenses without my or my agency's prior knowledge?

Pmt. of Trav. Expen. Fm. Non-Fed. Source

§ 304–3.7

304–3.14 May a non-Federal source pay for my spouse to accompany me to a meeting?

304–3.15 Must I provide my agency with information about any payment I receive on its behalf?

Subpart B—Reimbursement Claims

304–3.16 What must I submit to my agency for reimbursement when a non-Federal source pays all or part of my travel expenses to attend a meeting?

Subpart C—Reports

304–3.17 If I am required to file a confidential or public financial disclosure report, must I report travel payments I receive from a non-Federal source on that report?

Subpart D—Penalties

304–3.18 What happens if I accept a payment from a non-Federal source that is in violation of this part?

Subpart E—Relation to Other Authorities

304–3.19 Are there other situations when I may accept payment from a non-Federal source for my travel expenses?

AUTHORITY: 5 U.S.C. 5707; 31 U.S.C. 1353.

SOURCE: FTR Amdt. 2003–02, 68 FR 12604, Mar. 17, 2003, unless otherwise noted.

Subpart A—General

§ 304–3.1 To whom do the pronouns “I”, “you”, and their variants refer throughout this part?

Use of pronouns “I”, “you”, and their variants throughout this part refers to the employee.

§ 304–3.2 What is the purpose of this part?

The purpose of this part is to establish Governmentwide policy and guidance for acceptance by a Federal agency of payment for travel expenses from a non-Federal source for employees to attend meetings. It describes how such payments must be accepted by the agency for travel of agency employee(s) and/or the employee’s spouse for official Government travel. Except as provided in § 304–3.13 of this part, ad-

vance agency approval is required to receive such payments.

[FTR Amdt. 2003–02, 68 FR 12604, Mar. 17, 2003, as amended by FTR Case 2022–05, 89 FR 12257, Feb. 16, 2024]

§ 304–3.3 May my agency or I accept payment for travel expenses to a meeting from a non-Federal source?

Yes, you or your agency may accept such a payment from a non-Federal source, but you may only accept when your agency specifically authorizes such acceptance under the requirements of this part. Except as provided in § 304–3.13 of this part, your agency must approve acceptance of such payment in advance of your travel.

§ 304–3.4 What payments may my agency or I accept from a non-Federal source?

You or your agency may accept payments other than cash from a non-Federal source for all of your official travel expenses to attend a meeting of mutual interest, or any portion of those travel expenses mutually agreed upon between your agency and the non-Federal source. You may not accept payments for travel that is not to attend a meeting under this part. However, you may be able to accept payments under other authorities (see § 304–3.19).

§ 304–3.5 May I solicit payment of my travel expenses from a non-Federal source to attend a meeting?

No, you may not solicit payment for travel expenses from a non-Federal source to attend a meeting.

§ 304–3.6 May I inform a non-Federal source of my agency’s authority to accept payment for travel expenses to attend a meeting?

Yes, you or your agency may inform the non-Federal source of your agency’s authority to accept payment for travel expenses to attend a meeting.

§ 304–3.7 What must I do if I am contacted directly by a non-Federal source offering to pay my travel expenses to attend a meeting?

If you are contacted directly by a non-Federal source offering to pay any part of your travel expenses to attend