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TITLE 41--PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

CHAPTER 301--TRAVEL ALLOWANCES

PART 301-7--PER DIEM ALLOWANCES

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Authority: 5 U.S.C. 5701-5709.

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Sec. 301-7.1 General.

This part applies worldwide (both within and outside CONUS) except as specifically provided in this part.

(a) Authority. Per diem allowances shall be paid as prescribed in this part for official travel away from the official station (including travel incident to a change of official station), except when actual subsistence expense reimbursement is authorized or approved as provided in part 301-8.

(b) Definitions. For purposes of this part, the following definitions apply:

(1) Calendar day. Calendar day means the 24-hour period from one midnight to the next midnight. The calendar day technically begins one second after midnight (reflected in this part as 12:01 a.m.) and ends at 12:00 midnight.

(2) CONUS. CONUS refers to the continental United States, defined in Sec. 301-1.3(c)(6) as the 48 contiguous States and the District of Columbia. (See 5 U.S.C. 5701(6).)

(3) Destination rate. Destination rate is the rate applicable to the

next location where the employee will perform temporary duty or where the employee makes an en route stopover to obtain overnight lodging.

(4) Locality rates. Locality rates are maximum per diem rates prescribed for specific localities.

(5) Standard CONUS rate. Generally, the standard CONUS rate is prescribed for any location within CONUS that is not included in one of the defined localities or areas for which a specific rate is prescribed in appendix A. The standard CONUS rate is also prescribed for all locations within CONUS when permanent change of station travel is involved.

(6) Per diem allowance. The per diem allowance is a daily payment instead of actual expenses for lodging, meals and related incidental expenses (see paragraph (c) of this section). The per diem allowance is distinguished from transportation expenses and other miscellaneous travel expenses as described in paragraphs (b)(6) (i) and (ii) of this section.

(i) Transportation expenses. Transportation expenses include commercial bus, air, rail, or vessel/steamship fares and are reimbursable in addition to the per diem allowance. Transportation expenses also include local transit system and taxi fares; cost of commercial rental cars and other special conveyances; and mileage and other allowances to cover operating expenses for use of privately owned conveyances, including fees for parking, ferries, etc. (See parts 301-2, 301-3, and 301-4 for governing provisions.)

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(ii) Other miscellaneous travel expenses. Other miscellaneous travel expenses are those described in part 301-9 that are directly attributable and necessary to the travel and temporary duty as authorized and performed. When authorized or approved by the agency concerned, these expenses are reimbursable in addition to the per diem allowance and transportation expenses.

(c) Types of expenses covered by per diem. The per diem allowance covers all charges, including taxes and service charges where applicable, for the following types of expenses (also referred to as subsistence expenses in other parts of this subtitle).

(1) Lodging. (i) The term lodging includes expenses for overnight sleeping facilities; baths; personal use of the room during daytime; and service charges for fans, air conditioners, heaters, and fires furnished in rooms when such charges are not included in the room rate.

(ii) The term lodging does not include accommodations on airplanes, trains, buses, or vessels. The cost of accommodations furnished aboard common carriers is included in the transportation cost and is not considered an expense covered by per diem. However, in determining the overall cost to the Government when authorizing the mode of transportation to be used (see Sec. 301-2.2), the availability of these accommodations shall be considered.

(2) Meals. Expenses for breakfast, lunch, and dinner and related tips and taxes (specifically excluded are alcoholic beverage and entertainment expenses, and any expenses incurred for other persons).

(3) Incidental expenses covered by per diem. (i) Fees and tips to porters, baggage carriers, bellhops, hotel maids, stewards or stewardesses and others on vessels, and hotel servants in foreign countries.

(ii) Laundry and cleaning and pressing of clothing.

(iii) Transportation between places of lodging or business and

places where meals are taken except as provided in Sec. 301-2.3(b).

(iv) Telegrams and telephone calls necessary to reserve lodging accommodations. (See part 301-6 for allowable telegram and telephone expenses incurred for other purposes.)

[FTR Amdt. 10, 55 FR 41526, Oct. 12, 1990, as amended by FTR Amdt. 17, 56 FR 23655, May 23, 1991; FTR Amdt. 26, 57 FR 28633, June 26, 1992]

Sec. 301-7.2 Employee and agency responsibilities.

(a) Employee responsibility--(1) Duty to exercise care in incurring expenses. An employee traveling on official business is expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Excess costs, circuitous routes, delays, or luxury accommodations and services unnecessary or unjustified in the performance of official business are not acceptable under this standard. Employees will be responsible for excess costs and any additional expenses incurred for personal preference or convenience. (See Sec. 301-1.3(a).)

(2) Duty to record pertinent dates. The date of departure from and arrival at the official station or any other place at which travel begins or ends must be shown on the travel voucher. This same information also must be shown for points at which temporary duty is performed or for a stopover or official rest stop location when such arrival or departure affects the per diem allowance or other travel expenses. Other points visited also should be shown.

(3) Fire safety responsibilities. An employee traveling on official business is strongly encouraged to stay at an approved accommodation as defined in Sec. 301-17.2(c) of this chapter.

(b) Agency responsibilities--(1) Authorizing/approving rates. It is the responsibility of the head of each agency, or his/her designee, to authorize or approve only those per diem allowances that are justified by the circumstances affecting the travel and are allowable under the specific rules in this part. However, the per diem rates provided for under these rules represent the maximum allowable. To prevent authorization or approval of per diem allowances in excess of amounts required to meet the necessary per diem expenses of official travel, consideration shall be given to factors such as those listed in this paragraph that reduce the

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necessary expenses of employees (see specific guidelines in Sec. 301-7.12 of this part for reducing rates):

(i) Known arrangements or established cost experience at temporary duty locations showing that lodging and/or meals can be obtained without cost or at reduced cost to the employee;

(ii) Situations in which special rates for accommodations have been made available for a particular meeting, conference, training or other temporary duty assignments;

(iii) Traveler's familiarity with establishments providing lodging and meals at a lower cost in certain localities, particularly where repetitive travel or extended stays are involved;

(iv) Modes of transportation where accommodations are provided as part of the transportation cost; and

(v) Situations in which the Government furnishes lodging, such as

Government quarters or other lodging procured for the employee by means of an agency purchase order (see Sec. 301-7.12(a) of this part).

(2) Fire safety responsibilities. Each agency, as defined in Sec. 301-17.2(a) of this chapter, is responsible for influencing its employees who require commercial lodging when performing official travel to stay at an approved accommodation as defined in Sec. 301-17.2(c) of this chapter.

[FTR Amdt. 10, 55 FR 41526, Oct. 12, 1990, as amended by FTR Amdt. 26, 57 FR 28633, June 26, 1992; FTR Amdt. 39, 59 FR 46193, Sept. 7, 1994; FTR Amdt. 53; 61 FR 64998, Dec. 10, 1996; FTR Amdt. 54, 61 FR 68159, Dec. 27, 1996; FTR Amdt. 54, 62 FR 6878, Feb. 14, 1997]

Sec. 301-7.3 Maximum per diem rates.

Per diem allowances for official travel authorized or approved under this part shall be at daily rates not in excess of the maximum per diem rates established as provided in paragraphs (a) through (c) of this section. Per diem rates include a maximum amount for lodging expenses and a fixed allowance for meals and incidental expenses (M&IE). Maximum lodging amounts and the fixed M&IE allowances are separately reflected in the listings of per diem rates identified in paragraphs (a) through (c) of this section.

(a) Continental United States (CONUS). The per diem allowances payable for official travel within CONUS shall not exceed the maximum per diem rates established by the Administrator of General Services and listed in appendix A. (See instructions in Sec. 301-7.4 for requesting rate adjustments within CONUS.)

(b) Nonforeign areas outside CONUS. The per diem allowances payable for official travel in nonforeign areas shall not exceed the maximum per diem rates established by the Secretary of Defense and listed in Civilian Personnel Per Diem Bulletins published periodically in the Federal Register. The term nonforeign areas includes the States of Alaska and Hawaii, the Commonwealths of Puerto Rico and the Northern Mariana Islands, and the territories and possessions of the United States. Maximum per diem rates for nonforeign areas also are listed for convenience in section 925, a per diem supplement to the Standardized Regulations (Government Civilians, Foreign Areas).

(c) Foreign areas. Per diem allowances payable for official travel in foreign areas shall not exceed the maximum per diem rates established by the Secretary of State and published in section 925, a per diem supplement to the Standardized Regulations (Government Civilians, Foreign Areas). The term foreign areas includes any area (including the Trust Territory of the Pacific Islands) situated both outside CONUS and the nonforeign areas as described in paragraphs (a) and (b) of this section.

Sec. 301-7.4 Rate adjustment requests for travel within CONUS.

(a) Federal agencies may submit a request to GSA for review of the costs covered by per diem in a particular city or area where the standard CONUS rate applies when travel to that location is repetitive or on a continuing basis and travelers' experiences indicate that the prescribed rate is inadequate. Other per diem localities listed in appendix A will be surveyed on an annual basis by GSA to determine whether rates are adequate. Requests for per diem rate adjustments shall

be submitted by the agency headquarters office to the General Services Administration, Office of Governmentwide

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Policy Attn: Travel and Transportation Management Policy Division (MTT), Washington, DC 20405. Agencies should designate an individual responsible for reviewing, coordinating, and submitting to GSA any requests from bureaus or subagencies. Agencies should submit their requests to GSA no later than May 1 of each year in order for the city or area to be included in the annual survey.

(b) Requests for rate adjustments shall include a city designation and a description of the surrounding location involved (county or other defined area) and a recommended rate supported by a statement explaining the circumstances that cause the existing rate to be inadequate. The request also must contain an estimate of the annual number of trips to the location, the average duration of such trips, and the primary purpose of travel to the locations.

[FTR Amdt. 10, 55 FR 41526, Oct. 12, 1990, as amended by FTR Amdt. 23, 57 FR 6678, Feb. 27, 1992; FTR Amdt. 47, 61 FR 10252, Mar. 12, 1996; FTR Amdt. 54, 61 FR 68159, Dec. 27, 1996]

Sec. 301-7.5 General rules affecting entitlement to per diem.

(a) No allowance at official station. A per diem allowance shall not be allowed within the limits of the official station (see definition in Sec. 301-1.3(c)(4)) or at, or within the vicinity of, the place of abode (home) from which the employee commutes daily to the official station. Agencies may define a radius or commuting area that is broader than the limits of the official station within which per diem will not be allowed for travel within 1 calendar day.

(b) No allowance for travel of 12 hours or less. A per diem allowance shall not be allowed for official travel of 12 hours or less. (This requirement also applies for travel incident to a change of official station.)

(c) Beginning and ending of entitlement. For computing per diem allowances, official travel begins when an employee leaves his/her home, office, or other authorized point of departure and ends when the traveler returns to his/her home, office, or other authorized point at the conclusion of the trip.

(d) International date line. In cases where the traveler crosses the international date line (180th meridian), the actual elapsed time in days shall be used to compute the per diem rather than calendar days.

[FTR Amdt. 10, 55 FR 41526, Oct. 12, 1990, as amended by FTR Amdt. 17, 56 FR 23655, May 23, 1991; FTR Amdt. 54, 61 FR 68159, Dec. 27, 1996]

Sec. 301-7.6 Lodgings-plus per diem system.

Per diem allowances for all official travel, including travel incident to a change of official station, shall be computed under the lodgings-plus per diem system, except as otherwise provided in this part. Under this system, the per diem allowance for each travel day is established on the basis of the actual amount the traveler pays for lodgings plus an allowance for meals and incidental expenses (M&IE), the total not to exceed the applicable maximum per diem rate for the

location concerned. The rules provided in paragraphs (a) and (b) of this section and in Secs. 301-7.7 through 301-7.10 shall be applied in the specific situations covered.

(a) Maximum per diem rates--(1) For travel within CONUS. Maximum per diem rates prescribed under Sec. 301-7.3(a) for travel within CONUS are listed in appendix A. For all CONUS locations not specifically listed or encompassed by the defined boundaries of a listed location, the standard maximum per diem rate (standard CONUS rate) is prescribed.

(2) For travel outside CONUS. Maximum per diem rates prescribed under Secs. 301-7.3(b) and 301-7.3(c) apply to travel outside CONUS.

(3) Maximum rate applicable to change of official station travel. The standard CONUS rate shall be the applicable maximum per diem rate for en route travel performed in CONUS incident to a change of official station. Locality rates prescribed for locations outside CONUS will apply for en route travel performed outside CONUS incident to a change of official station.

(b) Elements of per diem allowance--(1) Maximum lodging expense allowance. The maximum per diem rates include a maximum amount for lodging expenses. The employee will be reimbursed for actual lodging costs incurred up to the applicable maximum

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amounts. Receipts for lodging are required as provided in Sec. 301-7.9(b).

(2) Meals and incidental expenses (M&IE) allowance. The maximum per diem rates include a fixed allowance for meals and for incidental expenses (M&IE rate). The M&IE rate, or fraction thereof, is payable to the traveler without itemization of expenses or receipts. For a partial day of travel, the M&IE rate shall be prorated as provided in Sec. 301-7.8 (a) or (c)(3), as appropriate.

[FTR Amdt. 10, 55 FR 41526, Oct. 12, 1990, as amended by FTR Amdt. 54, 61 FR 68159, Dec. 27, 1996]

Sec. 301-7.7 Computation rules for travel of more than 12 hours, but not exceeding 24 hours.

When the travel for which per diem has been authorized is more than 12 hours, but does not exceed 24 hours, the per diem allowance for the trip shall be calculated as follows:

(a) Lodging not required. If lodging is not required, the per diem allowance shall be three-fourths of the applicable M&IE allowance for the temporary duty assignment location. If more than one temporary duty point is involved, the per diem allowance shall be calculated using the highest of the M&IE rates prescribed for the location where official business is performed.

(b) Lodging required. If lodging is required, the per diem allowable shall be the actual cost of lodging incurred by the traveler, limited to the applicable maximum lodging allowance prescribed for the location of the lodging, plus three-fourths of the applicable M&IE rate prescribed for the lodging location.

[FTR Amdt. 54, 61 FR 68160, Dec. 27, 1996]

Sec. 301-7.8 Computation rules for travel of more than 24 hours.

The applicable maximum per diem rate for each calendar day of travel shall be determined by the travel status and location of the employee at 12:00 midnight and whether lodging is required at such location. When lodging is required, the applicable maximum per diem rate shall be the maximum rate prescribed for the temporary duty location, or a stopover point where lodging is obtained while en route to, from, or between temporary duty locations (see Secs. 301-7.9 and 301-7.6(a)(3) for regulations on lodging location and maximum per diem rates applicable to change of official station travel, respectively). Only one maximum rate will be applicable to a calendar day or fraction thereof. Per diem for travel of more than 24 hours shall be calculated as provided in paragraphs (a) through (e) of this section.

(a) Day travel begins--(1) Lodging required. When lodging is required on the day travel begins (day of departure from the home, office, or other authorized point), the per diem allowable shall be the actual cost of lodging incurred by the traveler, limited to the applicable maximum lodging allowance prescribed for the location of the lodging, plus three-fourths of the applicable M&IE rate prescribed for the lodging location.

(2) Lodging not required. When lodging is not required on the day travel begins, (day of departure from the home, office, or other authorized point), the per diem allowable shall be three-fourths of the destination M&IE rate.

(b) Full calendar days of travel--(1) Lodging required. For each full calendar day that the employee is in a travel status and lodging is required (whether en route or at a temporary duty location), the per diem allowable shall be the actual cost of lodging incurred by the traveler, limited to the applicable maximum lodging allowance prescribed for the location of the lodging, plus the applicable M&IE rate.

(2) Lodging not required. For each full calendar day that the traveler is in a travel status and lodging is not required (such as when the traveler is en route overnight to the next temporary duty location), the per diem allowance shall be the destination M&IE rate.

(c) Returning from travel--(1) Lodging required. For each full calendar day of travel when lodging is required at an en route location while the employee is returning to the official station, home, or other authorized point, the per diem allowable shall be the actual cost of lodging incurred by the traveler, limited to the applicable maximum lodging allowance prescribed for the location of the lodging, plus the applicable M&IE rate.

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(2) Lodging not required. For any full calendar day of travel when lodging is not required while the traveler is en route overnight returning to the official station, home, or other authorized point, the per diem allowable shall be the M&IE rate applicable to the preceding calendar day.

(3) Day travel ends--(i) No lodging required. For the day travel ends (day traveler returns to the official station, home, or other authorized point) the per diem allowable shall be three-fourths of the M&IE rate applicable to the preceding calendar day.

(ii) Lodging required on the day travel ends. When an employee must perform official business at a temporary duty site en route to the official station, home, or other authorized point on the day travel ends and the agency authorizes the employee to obtain lodging, the per diem

allowable shall be the actual cost of lodging incurred by the traveler, limited to the applicable maximum lodging allowance prescribed for the en route temporary duty site, plus three-fourths of the M&IE rate applicable to the en route temporary duty site.

(d) Lodging obtained after midnight. Although per diem generally is based on the employee's location at midnight, there will be instances in which he/she is en route and does not arrive at the lodging location (either temporary duty location or en route stopover point) until after midnight. In such cases, the lodging shall be claimed for the preceding calendar day and the applicable maximum per diem for the preceding day will be determined as if the employee had been at the lodging location at 12:00 midnight of that day.

(e) Commercial vessel. For vessel travel, except for the day of arrival on board (day of embarkation) and the day of departure from the vessel (day of debarkation), the allowable per diem rate will be \$6 per day. When the \$6 rate is not sufficient to meet the traveler's per diem expenses, a per diem rate equal to the anticipated expenses, not to exceed \$9 per day, may be authorized or approved; except that the rate for travel by the Alaska Ferry System shall not exceed the standard M&IE rate for CONUS. Per diem will be computed under the lodgings-plus system on the days of embarkation and debarkation.

[FTR Amdt. 54, 61 FR 68160, Dec. 27, 1996]

Sec. 301-7.9 Lodging--location, receipt requirements, and allowable expenses.

(a) Lodging location rules--(1) Lodging at temporary duty location. It is presumed that the employee will obtain lodging at the temporary duty location. However, if the employee obtains lodging away from or outside the temporary duty location because of personal preference or convenience, the allowable per diem shall be limited to the maximum per diem rate prescribed for the temporary duty location.

(2) Lodging not available at temporary duty location. In certain circumstances, lodging accommodations may not be available at the temporary duty location and the employee must obtain lodging in an adjacent locality where the prescribed maximum per diem rate is higher than the maximum per diem rate for the location of the temporary duty point. In such instances, the agency may make an administrative determination on an individual case basis to authorize or approve the higher maximum per diem rate. If the higher maximum rate is not justified and authorized in advance, the employee must furnish a statement with the travel voucher satisfactorily explaining the circumstances that caused him/her to obtain lodging in an area other than at the temporary duty point designated in the travel authorization.

(b) Receipt requirements. Receipts shall be required to support all lodging costs for which an allowance is claimed under the lodgings-plus per diem system except that a statement instead of a receipt may be accepted for the fee or service charge incurred for the use of Government quarters. Receipts are not required when a specific or reduced rate has been authorized in advance of the travel as provided in Secs. 301-7.10 and 301-7.12.

(1) Double occupancy. If the lodging receipt shows a charge for double occupancy, such fact shall be shown on the travel voucher with the name, and employing agency or office, of the person sharing the room if such person is a

Government employee on official travel. One-half of the double occupancy charge shall be allowable for each employee. If the person sharing the room is not another Government employee on official travel, identification of the person sharing the room is not required and the employee may be allowed the single room rate.

(2) Receipts lost or impractical to obtain. If receipts have been lost or destroyed or are impractical to obtain, a statement acceptable to the agency explaining the circumstances shall be furnished with the travel voucher, including the name and address of the lodging facility, the dates the lodging was obtained, and the cost incurred. Agencies may require employees to obtain copies of lost or destroyed receipts from the lodging establishment. (See also Sec. 301-11.3(d).)

(c) Allowable lodging expenses. As provided in Sec. 301-7.6(b)(1), the traveler will be reimbursed only for his/her actual cost of lodging up to the maximum amount. Expenses incurred in the situations described in paragraphs (c)(1) through (5) of this section will be allowed as lodging expenses:

(1) Conventional lodging. When an employee uses conventional lodging facilities (hotels, motels, boarding houses, etc.), the allowable lodging expense will be based on the single room rate for the lodging used (for double occupancy, see paragraph (b)(1) of this section). (See Sec. 301-7.14(a) for computing daily lodging expense when lodging is rented on a weekly or monthly basis.)

(2) Government quarters. A fee or service charge paid for the use of Government quarters is an allowable lodging expense.

(3) Lodging with friends or relatives. When the employee obtains lodging from friends or relatives (including members of the immediate family) with or without charge, no part of the per diem allowance will be allowed for lodging unless the host actually incurs additional costs in accommodating the traveler. In such instances, the additional costs substantiated by the employee and determined to be reasonable by the agency may be allowed as a lodging expense. Neither costs based on room rates for comparable conventional lodging in the area nor flat token amounts will be considered as reasonable.

(4) Lodging in nonconventional facilities. When no conventional lodging facilities are present (e.g., in remote areas) or when there is a shortage of rooms because of an influx of attendees at special events (e.g., world's fairs or international sports events), costs of lodging obtained in nonconventional facilities may be allowed. Such facilities may include college dormitories or similar facilities and rooms generally not offered commercially that are made available to the public by area residents in their homes. In such cases, the traveler must provide an explanation of the circumstances which is acceptable to the agency.

(5) Use of travel trailer or camping vehicle for lodgings. A per diem allowance for lodging may be allowed when the traveler uses a travel trailer or camping vehicle while on temporary duty assignments away from his/her official station. (See Sec. 301-7.14(b) for per diem computations in such situations.)

Sec. 301-7.10 Deviation from lodgings-plus per diem system.

An agency may determine that the lodgings-plus per diem system as prescribed in this section is not appropriate for certain travel

assignment situations, such as when quarters or meals, or both, are provided at no cost or at a nominal cost by the Government or when for some other reason the per diem costs to be incurred by the employee can be determined in advance. (For example, see situations described in Secs. 301-7.12 and 301-7.14.) In such instances, a specific per diem rate may be established within the maximum per diem otherwise applicable to the travel situation and any appropriate reductions made in accordance with Sec. 301-7.12, provided the exception from the lodgings-plus per diem system and the specific per diem rate are authorized in advance on the travel authorization by an appropriate official of the agency concerned. Such specific per diem rate authorized on the travel authorization shall be the per diem rate payable on the travel voucher without receipts and/or itemization by the employee.

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Sec. 301-7.11 Rest stops when travel outside CONUS is involved.

(a) When travel is direct between authorized origin and destination points which are separated by several time zones and either the origin or destination point is outside CONUS, a rest period not in excess of 24 hours may be authorized or approved when air travel between the two points is by less-than-premium-class accommodations and the scheduled flight time, including stopovers, exceeds 14 hours by a direct or usually traveled route.

(b) The rest stop may be authorized at any intermediate point, including points within CONUS, provided the point is midway in the journey or as near to midway as requirements for use of U.S. flag air carriers and carrier scheduling permit.

(c) A rest stop shall not be authorized when an employee, for personal convenience, elects to travel by an indirect route resulting in excess travel time.

(d) The per diem rate for the rest stop shall be the rate applicable for the rest stop location.

(e) When carrier schedules or the requirements for use of U.S. flag air carriers preclude an intermediate rest stop, or a rest stop is not authorized, it is recommended that the employee be scheduled to arrive at the temporary duty point with sufficient time to allow a reasonable rest period before reporting for duty. A reasonable rest period shall not be allowed when travel is authorized by premium-class accommodations. (See Sec. 301-3.6 for guidelines on the use of U.S. flag carriers.)

[FTR Amdt. 10, 55 FR 41526, Oct. 12, 1990, as amended by FTR Amdt. 32, 58 FR 58241, Oct. 29, 1993]

Sec. 301-7.12 Reductions in maximum per diem rates when appropriate.

An agency may, in individual cases or situations, authorize a reduced per diem rate under certain circumstances, such as when lodgings and/or meals are obtained by the employee at a reduced cost or furnished to the employee at no cost or a nominal cost by the Government; or when for some other reason the per diem costs to be incurred by the employee can be determined in advance. In exercising its responsibilities outlined in Sec. 301-7.2(b), the agency should consider any known factors that will cause the traveler's per diem expenses in a specific situation to be less than the applicable maximum rates prescribed under

Sec. 301-7.3. If it can be determined in advance of the travel that such factors are present, the agency should authorize a reduced rate that is commensurate with the known expense levels. Such reduced rate authorized on the travel authorization shall be the per diem rate payable on the travel voucher without receipts and/or itemization by the employee. When reduced rate situations involve partial days, per diem for such days may be three-fourths of the reduced rate, a special reduced rate prescribed for partial days, or an amount determined under the lodgings-plus system, as considered appropriate by the agency. Guidelines for reducing rates and situations where reduced rates may be appropriate include but are not limited to those provided in paragraphs (a) through (d) of this section.

(a) When lodgings/meals are furnished by the Government--(1) Lodgings furnished. Normally when all or part of the lodging is furnished at no cost or at a nominal cost to the employee by the Government, the lodgings-plus per diem system automatically reduces the maximum per diem rate to the M&IE rate (or fraction thereof). When lodging is furnished at no cost to the employee through use of an agency purchase order, the agency shall not authorize or approve a per diem allowance for other per diem expenses that will, when combined with the cost of lodging furnished, exceed the applicable maximum per diem rate prescribed under Sec. 301-7.3.

(2) Meals furnished. When all or part of the meals are furnished at no cost or at a nominal cost to the employee by the Federal Government, the applicable maximum per diem rate or the M&IE rate, as appropriate, shall be reduced to a daily amount commensurate with the expenses expected to be incurred by the employee. If a reduced per diem rate was not authorized in advance of the travel and meals were furnished at no cost or at a nominal cost

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by the Federal Government, the appropriate deduction prescribed in paragraph (a)(2)(i) or (ii) of this section shall be made from the total per diem payable on the travel voucher. If there is a charge for the meal for which a deduction has been made under this paragraph, reimbursement shall be allowed for the amount paid, not to exceed the amount allocated for the meal in paragraph (a)(2)(i) or (ii) of this section. The total amount of the deductions made on partial days shall not cause the employee to receive less than the amount allocated for incidental expenses.

(i) CONUS locations. The applicable M&IE rate for CONUS locations shall be reduced by the dollar amount shown in the following table when meals are furnished to the employee without charge or at a nominal cost (see paragraph (a)(2) of this section) by the Federal Government.

	M & IE Rates			
	\$30	\$34	\$38	\$42
Breakfast.....	\$6	\$7	\$8	\$9
Lunch.....	6	7	8	9
Dinner.....	16	18	20	22
Incidentals.....	2	2	2	2

(ii) Outside CONUS locations. The M&IE rates for localities in both nonforeign and foreign areas shall be reduced by the applicable dollar amount shown in appendix B when meals are furnished to the employee without charge or at a nominal cost (see paragraph (a)(2) of this section) by the Federal Government.

(b) Extended stays. When travel assignments involve extended periods at temporary duty locations and travelers are able to secure lodging and/or meals at lower costs (e.g., weekly or monthly rentals), the per diem rate should be reduced accordingly. If the extended temporary duty is for training, see paragraph (d) of this section. (See also Sec. 301-7.14 for allowable expenses in special situations.)

(c) Meetings and conventions. In the interest of uniform treatment of employees, whenever a meeting or conference is arranged which will involve the travel of attendees from other agencies or components of the same agency, and reduced cost lodging accommodations have been prearranged at the meeting or conference site, the agency or agencies sponsoring the meeting or conference shall recommend to the other participating agencies or components a per diem allowance that would be reasonable.

(d) Per diem for extended training assignments. (1) The Government Employees Training Act (5 U.S.C. 4101-4118) authorizes agencies to pay all or a part of the per diem expenses of an employee assigned to training at a temporary duty station. Implementing regulations prescribed by the Office of Personnel Management (OPM) in 5 CFR 410.603 provide specific guidelines for payment of per diem expenses for employees on extended training assignments of more than 30 calendar days at temporary duty locations.

(2) Generally the OPM guidelines require a reduced per diem of not more than 55 percent of the applicable maximum per diem rate prescribed in this regulation (see Sec. 301-7.3). Per diem above these levels (not to exceed the maximum per diem rates) must be justified. Agencies shall refer to the OPM guidelines in 5 CFR 410.603 for specific criteria to determine the appropriate per diem. Guidelines also are published by OPM in the Federal Personnel Manual, chapter 410, section 6-3.

[FTR Amdt. 10, 55 FR 41526, Oct. 12, 1990, as amended by FTR Amdt. 29, 58 FR 12890, Mar. 5, 1993; FTR Amdt. 52, 61 FR 59185, Nov. 21, 1996; FTR Amdt. 54, 61 FR 68160, Dec. 27, 1996]

Sec. 301-7.13 Mixed travel reimbursements.

Mixed travel occurs when official travel within a single trip is subject to payment of per diem under the lodgings-plus system and an actual expense allowance under the actual expense system. Reimbursement will be computed under only one system for each calendar day except when the provisions of Sec. 301-8.2(b) or 301-8.3(a)(2)(ii) apply. When actual subsistence expense reimbursement for certain travel days is intermittent with the per diem method for others, the rules in Sec. 301-8.6 govern.

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Sec. 301-7.14 Per diem allowance computations for special situations.

(a) Per diem for weekly or monthly rentals--(1) Types of expenses included in lodging costs. When an employee rents a room, apartment,

house, or other lodging incident to a temporary duty assignment, the following expenses may be considered part of the lodging cost: the rental cost; if unfurnished, the rental cost of appropriate and necessary furniture and appliances, such as a stove, refrigerator, chairs, tables, bed, sofa, television, and vacuum cleaner; cost of connection, use, and disconnection of utilities; cost of reasonable maid fee and cleaning charges; monthly telephone use fee (does not include installation and long-distance calls); and, if ordinarily included in the price of a hotel or motel room in the area concerned, the cost of special user fees, such as cable TV charges and plug-in charges for automobile head bolt heaters.

(2) Computation of daily lodging costs. When the employee obtains lodging on a weekly or monthly rental basis, the daily lodging cost shall be computed by dividing the total lodging cost for the expenses listed in paragraph (a)(1) of this section by the number of days the accommodations are actually occupied, provided that the employee acts prudently in renting by the week or month, and that the cost to the Government does not exceed the cost of renting conventional lodging at a daily rate. Otherwise the daily lodging cost shall be computed by dividing by the number of days in the rental period; e.g., 7 or 30 days, as appropriate.

(3) Per diem allowable. (i) Under the lodgings-plus system, the allowable per diem consists of the daily lodging cost calculated under paragraph (a)(2) of this section plus the applicable M&IE rate not to exceed the maximum per diem rate prescribed for the location involved.

(ii) When a reduced per diem rate is being established (see Sec. 301-7.12) in advance of the travel, the daily lodging cost calculated in paragraph (a)(2) of this section shall be added to the amount determined by the agency to be necessary for meals and incidental expenses.

(b) Per diem allowances for use of a recreational vehicle for lodging. The term recreational vehicle includes mobile homes, campers, camping trailers, or self-propelled mobile recreational vehicles.

(1) Privately owned--(i) Lodging costs. When an employee uses a privately owned camping or recreational vehicle while on official travel, allowable expenses which may be considered as a lodging cost include parking fees; fees for connection, use, and disconnection of utilities (electricity, gas, water, and sewage); bath or shower fees; and dumping fees. Depreciation shall not be considered as a lodging cost.

(ii) Meals and incidental expenses. The agency shall determine an appropriate amount for meals and incidental expenses based on whether the type of recreational vehicle used by the employee has meal preparation facilities. Such amount shall not exceed the applicable M&IE rate.

(iii) Per diem computation. The daily lodging costs plus an appropriate rate for meals and incidental expenses determined under paragraph (b)(1)(ii) of this section shall be the per diem rate, limited to the applicable maximum rate prescribed under Sec. 301-7.3 for the locality involved. An agency may authorize a reduced per diem rate within the applicable maximum per diem rate if the actual costs expected to be incurred can be determined in advance of the travel.

(2) Rented recreational vehicle. When the use of a rented recreational vehicle is authorized or approved as advantageous to the Government, the rental fee and the allowable expenses shown in paragraph (b)(1)(i) of this section may be considered as lodging costs. Advantageous use might occur when the employee is on an extended

temporary duty assignment in a remote area or where conventional lodging facilities are limited or not available. If use of a rented recreational vehicle is not authorized or approved as advantageous, only those expenses listed in paragraph (b)(1)(i) of this section may be considered as lodging costs.

(c) Per diem computations when temporary duty is curtailed, canceled, or interrupted for official purposes. When an

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employee has made advance arrangements for lodging (such as those described in paragraph (a) or (b) of this section), with reasonable expectation of the travel assignment being completed as ordered or directed, and subsequently the temporary duty assignment is curtailed, canceled, or interrupted for official purposes, or for other reasons beyond the employee's control that are acceptable to the agency, lodging costs may be calculated and paid as follows:

(1) Travel assignment curtailed or interrupted. When the temporary duty assignment is curtailed or interrupted for the benefit of the Government or for other reasons beyond the employee's control and the employee is unable to obtain a refund of prepaid rent, expenses incurred for unused lodging may be reimbursed under the following conditions:

(i) Determination of reasonableness. The agency must determine that the employee acted reasonably and prudently in incurring allowable lodging expenses pursuant to temporary duty travel orders. Included in this determination should be a consideration of whether the employee sought to obtain a refund of the prepaid lodging cost or otherwise took steps to minimize the costs once the temporary duty was officially curtailed or interrupted.

(ii) Adjusted calculation and reimbursement of lodging costs. If the agency determines that the employee acted reasonably, the unused portion of the prepaid lodging cost may be reimbursed as follows:

(A) The daily lodging costs for the period covered by the voucher shall be calculated by dividing the total cost for the rental period by the number of days of actual occupancy. The total of the lodging costs thus calculated plus the appropriate daily amount authorized for meals and incidental expenses may be reimbursed not to exceed the per diem rate authorized in the employee's travel orders for the days that the lodging was occupied.

(B) If the authorized per diem rate is insufficient for the days of occupancy, the daily lodging cost calculated in paragraph (c)(1)(ii)(A) of this section plus the amount authorized for meals and incidental expenses may be reimbursed on an actual expense basis not to exceed appropriate maximum daily rates determined as provided in Sec. 301-8.3.

(C) The excess amount (if any) of the unrefunded lodging cost not reimbursed under paragraph (c)(1)(ii)(B) of this section may be paid as a miscellaneous travel expense incident to the travel assignment, if otherwise proper.

(D) In instances where the travel assignment was interrupted for official purposes (e.g., when the employee is directed to perform temporary duty at another location), allowable per diem expenses (if any) incurred during the interruption may be reimbursed separately from those reimbursements outlined in paragraphs (c)(1)(ii)(A) through (C) of this section, if otherwise proper and in conformance with the provisions of this part.

(2) Travel assignment canceled. When the employee incurs lodging expenses in reasonable expectation of a travel assignment being

completed as ordered or directed, and due to a change in travel orders the travel assignment is canceled before its commencement, the prepaid lodging expenses may be reimbursed as a miscellaneous travel expense provided the amounts are reasonable and the conditions in paragraph (c)(1)(i) of this section are met.

(3) Forfeited rental deposits. If, in situations described in paragraphs (c)(1) and (2) of this section, the employee was required by the terms of a lease or rental agreement to pay a rental deposit and all or part of the deposit is forfeited to cover unpaid lodging costs, the amount of the forfeited deposit may be reimbursed as a miscellaneous travel expense provided the conditions in paragraph (c)(1)(i) of this section are met. Reimbursement for deposits forfeited for damages to lodging accommodations shall not be allowed.

(d) Per diem while aboard Government vessel. For temporary duty aboard Government vessels where meals and lodgings are furnished at no cost or at a reduced cost, agencies shall prescribe an appropriate per diem rate within the provisions of this part. The term Government vessel includes vessels owned and operated, leased and operated, or chartered by the Government.

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Sec. 301-7.15 Interruptions of per diem entitlement.

For purposes of this section, the term place of abode means the place from which the employee commutes daily to the official station.

(a) Leave and nonworkdays--(1) General. Leave of absence (other than as provided in paragraph (d) of this section) for one-half, or less, of the prescribed daily working hours shall be disregarded for per diem purposes. Where the leave is more than one-half of the prescribed daily working hours, no per diem shall be allowed for that day.

(2) Nonworkdays. Legal Federal Government holidays and weekends or other scheduled nonworkdays are considered nonworkdays. Employees are considered to be in a per diem status on nonworkdays except when they return to their official station or place of abode (see paragraph (b) of this section), or except under conditions stated in paragraphs (a)(2)(i) and (ii) of this section.

(i) Leave before and after nonworkdays. Per diem shall not be paid for nonworkdays when:

(A) Employees are in a leave status at the end of the workday before the nonworkdays and at the beginning of the workday following the nonworkdays, and

(B) The period of leave on either of those days is more than one-half of the prescribed working hours for that day.

(ii) Leave between nonworkdays. Per diem shall not be paid for more than two nonworkdays in cases where leave of absence is taken for all of the prescribed working hours between the nonworkdays.

(b) Return to official station for nonworkdays--(1) Required return--official business. An employee who is required by appropriate agency officials to return to his/her official station for the nonworkdays to perform official business or because it is otherwise advantageous to the Government shall be allowed the round-trip transportation expenses and per diem for the en route travel.

(2) Authorized return--substantial cost savings. An agency may authorize per diem and transportation expenses to an employee to return home for nonworkdays where a significant cost savings will be achieved. Travel time shall be scheduled within the employee's duty hours to the

extent practicable. The cost of lost productivity attributable to the duty hours involved in traveling to and from the employee's residence for nonworkdays shall be considered in determining the cost savings.

(3) Authorized return incident to extended temporary duty. Employees who are required to routinely perform extended periods of temporary duty may, at agency discretion and within the limits of appropriations available for payment of travel expenses, be authorized round-trip transportation expenses and per diem en route for periodic return travel to their official stations or places of abode for nonworkdays. Agencies are cautioned that this authority is to be used with the utmost discretion and consideration of the length and purpose of the temporary duty assignments and the distance of the return travel. The periodic return travel may be authorized if the conditions specified in paragraphs (b)(3)(i) and (ii) of this section are met.

(i) The head of the agency or his/her designee has determined, based on an appropriate cost analysis, that the costs of periodic weekend return travel (including the costs of potential overtime, if applicable) are outweighed by savings in terms of increased employee efficiency and productivity, as well as reduced costs of recruitment and retention of employees. This cost analysis shall be conducted no less frequently than every other year.

(ii) Return travel for nonworkdays authorized under these provisions constitutes an exception to the directive on scheduling of travel contained in 5 U.S.C. 6101(b)(2) and therefore should be performed outside the employee's regularly scheduled duty hours or during periods of authorized leave. However, in the case of employees not exempt from the Fair Labor Standards Act overtime provisions, consideration should be given to scheduling the authorized travel to minimize payment of overtime, including scheduling of travel during regularly scheduled duty hours when necessary. (See Office of Personnel Management regulations for

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further guidelines covering overtime during travel.)

(4) Voluntary return. When an employee voluntarily returns to his/her official station or place of abode for nonworkdays, the maximum reimbursement for the round-trip transportation and per diem en route shall be limited to the per diem allowance and travel expenses which would have been allowed had the employee remained at the temporary duty station. The employee shall perform any such voluntary return travel during nonduty hours or periods of authorized leave.

(c) Indirect route or interrupted travel. If there is an interruption of travel or deviation from the direct route resulting in excess travel time because of an employee's personal preference or convenience or through the taking of leave, the per diem allowed shall not exceed that which would have been allowed on uninterrupted travel by a direct or usually traveled route except as provided in part 301-12 for certain emergency travel situations. (See Secs. 301-2.5, 301-7.2(a)(2), and 301-11.5(a)(3).)

(d) Illness or injury or a personal emergency situation. Provisions governing per diem allowable for emergency travel performed due to an employee's incapacitating illness or injury or because of a personal emergency situation, as well as the continuation of per diem due to incapacitating illness or injury of the employee, are found in part 301-12.

