

## **4 FAM 460 TRAVEL AND TRAVEL ADVANCE MANAGEMENT**

*(CT:FIN-413; 03-01-2011)  
(Office of Origin: RM/FPRA/FP)*

### **4 FAM 461 SCOPE**

*(CT:FIN-398; 04-09-2009)*

This subchapter contains the fiscal policy related to travel advances, travel claims, contracted charge cards, travelers checks, congressional travel, educational travel, and gifts of travel expenses from a non-Federal source. The policy stated herein must be used in conjunction with those procedures set forth in 4 FAM 410, 4 FAM 420, 4 FAM 430, 4 FAH-3 H-460, and 2 FAM 960.

### **4 FAM 462 AUTHORITY FOR TRAVEL**

*(CT:FIN-412; 01-28-2011)*

22 U.S.C. 4081 or 5 U.S.C. Chapter 57 contains the statutory authority for the manner in which travel is performed and the expenses for which the traveler can be reimbursed. Officials responsible for financial management and administrative activities should use prudence and make businesslike decisions when applying these regulations. Other authorities cited herein govern specific aspects of granting travel advances and accepting payments from non-Federal sources.

### **4 FAM 463 TRAVEL ADVANCES**

#### **4 FAM 463.1 Authority for Travel Advances**

*(CT:FIN-412; 01-28-2011)*

The authority to grant a travel advance is in 5 U.S.C. Chapter 57, as defined in the Federal Travel Regulation (FTR), 41 CFR 301-1--301-76; 41 CFR 304-1--304-99. The purpose of a travel advance is to provide an employee authorized to travel at U.S. Government expense with funds to meet authorized travel expenses.

## **4 FAM 463.2 Applicability**

*(CT:FIN-412; 01-28-2011)*

- a. A travel advance may be issued as an electronic funds transfer (EFT), U.S. Treasury check, cash, or travelers checks (where authorized). EFT is the preferred method whenever possible. Cash and travelers checks are the least preferred methods of payment. A travel advance may be issued to an employee who has proper identification and a valid travel authorization that cites the funds to be charged for the travel.
- b. The term "employee" is defined in 41 CFR 301-1.2 as:
  - (1) An individual employed by an agency, regardless of status or rank;
  - (2) An individual employed intermittently in Government service as an expert or consultant and paid on a daily when actually employed (WAE) basis; or
  - (3) An individual serving without pay or at \$1 a year (also referred to as "invitational traveler").
- c. Travel advances for Department-authorized travel may be issued to employees of other agencies, individuals traveling under invitational travel, and to personal services contractors (PSCs) as defined in 3 FAM 8100 Appendix A. These individuals may be considered employees for the purpose of allowing them travel advances. The terms and conditions regarding access to and recovery of travel advances to a PSC must be included in the contract. Other individuals who are not Government employees and who have not been issued invitational travel authorizations may not receive an advance of funds for the purpose of travel under this part.

## **4 FAM 463.3 Approving (Granting) of Advances**

### **4 FAM 463.3-1 Amount of Advance and When To Apply**

*(CT:FIN-413; 03-01-2011)*

- a. An authorized traveler may be granted a travel advance for out-of-pocket travel expenses by the travel-authorizing official whenever 80 percent of the estimated expenses exceed exceeds \$100. The minimum domestic advance is \$100 when travelers checks are being issued. For a non-U.S. citizen locally employed staff (*LE staff*) member, the approving officer may approve an amount less than \$100 when warranted. The amount that may be advanced is the estimated out-of-pocket expenses and should be shown on all temporary duty (TDY) travel authorizations. The amount advanced must not exceed 80 percent of the estimated expenses minus the ticket, except for non-U.S. citizen locally employed staff

members when the 80-percent limitation would create a financial hardship for that employee. Advances for non-U.S. citizen locally employed staff members at amounts above the 80-percent rate must be approved by the financial management officer at post.

- b. A travel advance must be requested before the commencement of travel. A supplemental advance may be authorized en route only when an amended authorization extends the period of the travel, an emergency situation exists, or the post of departure has difficulty in obtaining U.S. dollars.
- c. Financial management officers are responsible for determining when a request for a travel advance should be made. The request should be as close to departure as possible, but must be made early enough to ensure that the funds are in the traveler's account before departure. Most advances should be made via direct deposit to the traveler's account. In all cases, consider each traveler's individual situation when making this determination. An advance in cash, or where authorized in travelers checks, may also be made by an authorized cashier from the cashier's operating cash advance in accordance with 4 FAM 390 and should be requested no earlier than necessary as authorized by the financial management officer prior to travel departure. Domestically, the authorized certifying officer makes these determinations.
- d. In addition, the certifying officer must be authorized to certify the travel costs for the accounts of the Department or agency being charged. When the regulations of the agency being charged with the advance are not available at the post, the provisions contained in this subchapter apply.

#### **4 FAM 463.3-2 Travelers With Government-Contracted Individual Charge Cards (Charge Cards)**

*(CT:FIN-403; 03-03-2010)*

Domestically and where approved at posts, U.S. citizen employees who expect to travel more than two times a year must obtain and have a valid Government-authorized charge card. These employees will not receive a travel advance without a justification approved by the Office of the Deputy Assistant Secretary for Global Financial Services (RM/GFS) or the post management officer. The suspension of the charge card because of the employee's nonpayment or misuse is not a valid reason for issuing a travel advance (see 4 FAH-3 H-466). Misuse is defined as any use other than officially authorized travel.

## **4 FAM 463.3-3 Travelers Without Charge Cards**

*(CT:FIN-412; 01-28-2011)*

Travel advances for 80 percent of the total estimated per diem and miscellaneous expenses may be issued to employees assigned outside of Washington, DC or when it is determined that the employee should not be issued a charge card or when an advance is approved for a cardholder.

## **4 FAM 463.3-4 Advance Exceptions**

*(CT:FIN-403; 03-03-2010)*

- a. Domestically, the appropriate bureau officer must provide the certifying officer specific written justification (such as traveling to a location where charge cards or travelers checks would be difficult to use or not accepted, or when a traveler has not been issued a charge card) to issue a travel advance. In addition, cardholders may be issued a TDY travel advance by electronic funds transfer or U.S. Treasury check limited to 80 percent of the estimated out-of-pocket expenses where the issuance or sale of travelers checks is not available to the cardholder.
- b. The Comptroller General has defined a travel advance as a loan. Therefore, interest, penalty, and administrative charges will be assessed on amounts outstanding more than 30 calendar days after travel is completed:
  - (1) Collection of the debt will be in accordance with the time frames set forth in 4 FAH-3 Exhibit H-462;
  - (2) If salary offset becomes necessary to collect the travel advance, the procedures set forth in 4 FAM 490 are applied;
  - (3) The notice provided to the traveler under 4 FAH-3 H-463.2-3 is deemed as the first notice under 4 FAM 492;
  - (4) Travelers who fail to repay outstanding advances within the required time may be subject to disciplinary action;
  - (5) When travel is indefinitely postponed or canceled, any travel advance received must be repaid immediately; and
  - (6) Travelers will not be able to receive another advance if they fail to repay an existing outstanding travel advance.

## **4 FAM 464 TRANSFER ALLOWANCE ADVANCES**

### **4 FAM 464.1 Authority**

*(CT:FIN-403; 03-03-2010)*

The authority to advance funds to employees transferred in the interest of the U.S. Government for the related relocation travel expense is provided in 5 U.S.C. Chapter 57. A travel advance may be allowed for the express purpose of providing an employee who is authorized post assignment travel at U.S. Government expense with the funds to meet per diem and travel expenses at the rates specified in the Department of State Standardized Regulations (DSSR—Government Civilians, Foreign Areas). Advances for transfer allowances are not permitted.

### **4 FAM 464.2 Applicability**

*(CT:FIN-403; 03-03-2010)*

Advances for per diem and related travel expenses (post assignment travel/permanent change-of-station (PCS)) are calculated in accordance with Section 250 of the Department of State Standardized Regulations (DSSR).

### **4 FAM 464.3 Types of Advances**

#### **4 FAM 464.3-1 Home Service Transfer Allowance (HSTA) Advances**

*(CT:FIN-412; 01-28-2011)*

The home service transfer allowance (HSTA) is an allowance made to an eligible employee being assigned from a foreign post to a stateside assignment to defray relocation expenses. Advances for the HSTA are limited to 80 percent of the estimated lodging and meals and incidental expenses (M&IE) and are processed in the same way as advances for permanent change-of-station (PCS) travel-related expenses. HSTA advances are to be issued in accordance with 4 FAM 463.3-1, paragraph c. For approving, calculating, issuing, and recovering such advances, see 4 FAH-3 H-463. Advances for the miscellaneous expense portion of the HSTA are not authorized. This allowance may be claimed on Form SF-1190, Foreign Allowances Application, Grant, and Report, upon arrival in the United States.

## **4 FAM 464.3-2 Foreign Transfer Allowance (FTA) Advances**

*(CT:FIN-412; 01-28-2011)*

The foreign transfer allowance (FTA) is an allowance made to an eligible employee being assigned to a foreign post. Advances for the FTA are limited to 80 percent of the estimated lodging and M&IE expenses and are processed in the same way as advances for permanent change-of-station (PCS) travel-related expenses. FTA advances are to be issued in accordance with 4 FAM 463.3-1, paragraph c. For approving, calculating, issuing, and recovering such advances, see 4 FAH-3 H-463. Advances for the miscellaneous expense portion, wardrobe expense portion, and the lease penalty expense portion of the FTA are not authorized. These allowances may be claimed on Form SF-1190 upon arrival at post. Predeparture expenses are limited to 80 percent of the prescribed maximum lodging and M&IE rates for the locality.

## **4 FAM 464.3-3 Miscellaneous Expense Allowance (MEA)**

*(CT:FIN-398; 04-09-2009)*

The miscellaneous expense allowance (MEA) is paid to an employee in accordance with DSSR sections 243 and 253 as a flat amount to defray various costs of transferring from one post of assignment to another. A MEA is not issued in advance of arrival at post.

## **4 FAM 464.3-4 Quarters Allowance (QA) Advances**

*(CT:FIN-403; 03-03-2010)*

QA is an advance of funds that may be granted an employee at a foreign post of assignment. The DSSR cites the criteria and restrictions in Section 113. When a QA advance is granted, an accounts receivable must be established to control the repayment of such an advance. QA is not advanced in the United States.

## **4 FAM 464.3-5 Temporary Quarters Subsistence Allowance (TQSA) Advances**

*(CT:FIN-403; 03-03-2010)*

The temporary quarters subsistence (TQSA) is an advance of funds that may be granted an employee under the same provisions, criteria, and controls established for QA advances (see 4 FAM 464.3-4). The application for payment is modified to fit the circumstances of TQSA advance. When an advance for TQSA is granted, set up an accounts receivable to control the repayment of such an advance.

## **4 FAM 465 TRAVEL CLAIMS**

### **4 FAM 465.1 Traveler's Responsibility**

*(CT:FIN-412; 01-28-2011)*

- a. Upon travel completion, each traveler is required to submit an expense report (voucher/claim) within 5 business days from the travel ending date to account for the travel performed and for the related authorized costs. If the submitted expense report (voucher/claim) is the final expense report (voucher/claim), the traveler should annotate "FINAL" boldly on the voucher. For travel vouchers processed electronically, the travel voucher should be marked as "FINAL". Travel is completed when the traveler arrives at the officially assigned post of duty or place of residence.
- b. Travelers must include an itemized list of expenses and other information on all travel claims. This list must include:
  - (1) Airline tickets;
  - (2) Lodging expenses;
  - (3) All other expenses that exceed \$75; and
  - (4) Any other expense that the bureau or office determines is necessary to complete the claim.

### **4 FAM 465.2 Accounting for Transportation**

*(CT:FIN-403; 03-03-2010)*

- a. Travelers are responsible for the use and/or disposition of all tickets, Government transportation requests (GTRs), airline-denied boarding compensation checks, or promotional materials bought by GTR, Government Travel System (GTS), or other voucher. In addition, the traveler is responsible for reporting any changes in transportation arrangements. Travelers are required to:
  - (1) Notify the Travel Management Center (TMC) immediately when the trip or portion of the trip will not be made;
  - (2) Document in writing that the TMC was notified. This must include the name of the person notified; and
  - (3) Notify the executive office/post management office of unused tickets and refunds due.
- b. The traveler and executive office/post management office are responsible for ensuring that the account was credited for any refunds due.

## **4 FAM 465.3 Approving Official's Responsibility**

*(CT:FIN-412; 01-28-2011)*

- a. Before a voucher claiming reimbursement of travel expenses is presented for certification by the certifying officer, the voucher must be administratively approved by an official (see 4 FAM 424) who has a requisite personal knowledge that the travel was performed by the traveler during the period claimed or who is responsible for supervising the traveler. The supervising official is to ascertain that any leave (annual or sick) taken while in travel status is being properly reported on the employee's leave record and that no claim for reimbursement is being made for the period of leave.
- b. Administrative approval confirms that the traveler made the authorized trip and performed the expected official duties.
- c. Administrative approval of the travel vouchers by approving officials must be completed within 2 work days of the traveler submitting the voucher.
- d. When approving travel vouchers, officials who have been delegated authority to authorize or approve are required to ensure upon completion of travel that:
  - (1) The travel was performed as directed;
  - (2) The items of expense claimed are appropriate, reasonable, and in accordance with applicable regulations;
  - (3) Funds have been obligated to pay for the travel; and
  - (4) Outstanding travel advances related to the specific travel voucher have been subtracted from the net amount.

## **4 FAM 465.4 Prepayment Examination of Vouchers/Claims**

*(CT:FIN-398; 04-09-2009)*

Prior to certification, each travel reimbursement voucher is examined according to voucher audit standards. These standards include internal audits contained in commercial off-the-shelf (COTS) software used to automate the generation and processing of travel vouchers, as well as edits and controls present in the Department's financial management system(s) that process payment data from feeder systems.



## **4 FAM 465.5 Certification for Payment of Approved Claims**

*(CT:FIN-413; 03-01-2011)*

All processed travel vouchers are certified for payment in accordance with 4 FAM 430, on Voucher and Schedule of Payments or the electronic equivalent generated by the Department's financial management system(s). Certified payments are forwarded to Treasury or the servicing USDO, according to 4 FAM 434, so that the claim can be paid within 25 calendar days after travel is completed. The calendar day starts when the payment office stamps the travel reimbursement voucher as received. Vouchers are payable in U.S. dollars, except that in foreign areas, locally employed staff (LE *staff*) are reimbursed in accordance with local currency laws.

## **4 FAM 466 GOVERNMENT-CONTRACTED INDIVIDUAL CHARGE CARDS**

*(CT:FIN-367; 12-07-2004)*

The Department, through the General Services Administration (GSA) contract, authorizes the issuance and maintenance of charge cards to travelers.

## **4 FAM 467 GOVERNMENT-CONTRACTED TRAVELERS CHECKS**

### **4 FAM 467.1 Authority**

*(CT:FIN-367; 12-07-2004)*

The Department, through the General Services Administration (GSA) contract, is authorized to maintain an inventory of travelers checks to issue or sell.

### **4 FAM 467.2 Applicability**

*(CT:FIN-412; 01-28-2011)*

Government-contracted travelers checks may be issued to travelers as authorized travel advances instead of cash or a Treasury check. Travelers checks must be requested before the commencement of travel on the Travel Authorization (TA). Any fees charged or collected for the travelers checks issued as travel advances may be claimed as a miscellaneous reimbursable

expense on the voucher if the fee has been paid by the traveler.

## **4 FAM 468 CONGRESSIONAL TRAVEL**

*(CT:FIN-367; 12-07-2004)*

- a. 22 U.S.C. 1754 authorizes using local currencies overseas for transportation, per diem, and other expenses for foreign travel for Members of Congress and congressional staff. This authority establishes the appropriation to be charged as well as the authorizations and restrictions that are applicable to congressional delegations (CODEL) or staff delegations (STAFFDEL).
- b. Particular procedures pertain to congressional travel only and include the rates to be paid, manner of payment, accounts charged, authorizations required, use and exchange of foreign currencies, and related reporting requirements.

## **4 FAM 469 SPECIAL TRAVEL PROVISIONS**

### **4 FAM 469.1 Educational Travel**

*(CT:FIN-403; 03-03-2010)*

- a. Payment or reimbursement of expenses incurred for educational travel, when authorized in accordance with 14 FAM 532.5, may include actual expenses for transportation for the dependent child, authorized per diem at the maximum applicable rates, and transportation expenses for unaccompanied air baggage (UAB), up to the weight allowance of 113 gross kilograms, or 250 pounds.
- b. Employees whose dependents have been authorized educational travel may elect to store the dependent's UAB at or in the vicinity of the dependent's school in lieu of transporting the UAB back to the employee's duty station. Refer to 14 FAM 500, 14 FAM 600, and Department of State Standardized Regulation (DSSR) 285.1 for applicable guidelines regarding the cost of storage that may be claimed. When choosing this option, employees are responsible for making arrangements with a local storage facility and must pay all fees directly to the storage facility.
- c. Employees should refer to 14 FAM 610 and 14 FAM 620 before electing storage as an option over shipping a dependent's UAB and must consult with post concerning documentation required for reimbursement. The employee is also responsible for obtaining an estimate of shipping the UAB to determine the maximum amount of reimbursement of storage vs. shipment of UAB. Claims for storage of UAB will be restricted to the

lesser of the constructive cost of shipping UAB or costs of storing the UAB.

- d. The employee should request reimbursement for authorized Educational Travel expenses at post and claim them via Form DS-189, Travel Reimbursement Voucher (formerly Form OF-189). The reimbursement request must include all necessary receipts and reference the authorization detailed on the post assignment travel (PAT) orders. The fiscal data charged for paying the claim will be the accounting data on the educational travel orders issued by the post for this post-funded expense. These data must include the post allotment code, the associated appropriation symbol used to fund the educational travel, the obligation number, and budget object code 2162 (the code assigned to educational travel), as well as other relevant accounting data associated with educational travel orders.

## **4 FAM 469.2 Certain Gifts of Travel and Travel Expenses**

### **4 FAM 469.2-1 Scope**

*(CT:FIN-398; 04-09-2009)*

- a. This section sets forth the policies and procedures for the acceptance and use of payments for travel, subsistence, and related expenses from non-Federal sources in connection with official travel of employees at certain meetings and similar functions and on other occasions when travel expenses are paid by non-Federal sources. Employees should refer to 2 FAM 962.1-8 for the standards to be used for approving and accepting such travel as a gift to the Department. In some circumstances, the Department may receive payments in connection with the attendance of an accompanying spouse, as set forth in 2 FAM 962.1-8.
- b. This section does not authorize acceptance of such payments by an employee or accompanying spouse of an employee in their personal capacity.
- c. This section does not authorize solicitation by an employee or the Department from a non-Federal source for the covered travel. Employees may inform non-Federal sources that there is either no or insufficient travel funds for the employee to participate in proposed travel.

### **4 FAM 469.2-2 Authority**

*(CT:FIN-412; 01-28-2011)*

- a. 31 U.S.C. 1353 provides authority for agencies to accept payments from

non-Federal sources in connection with the funding of certain official travel. Payments can only be accepted from non-Federal sources by the Department if they are for “travel, subsistence, and related expenses,” as outlined in this chapter.

- b. 5 U.S.C. 5701; 5 U.S.C. 5709.
- c. 41 CFR 301-1--301-76; 41 CFR 304-1--304-99.
- d. 22 U.S.C. 2697 provides authority for the Secretary of State to accept gifts (unconditional and conditional), to include a gift of travel expenses. In circumstances where gift of travel expenses cannot be accepted under the authority of 31 U.S.C. 1353, the Department may accept them under the general gift acceptance authority of the Secretary of State as implemented in 2 FAM 960.

## 4 FAM 469.2-3 Definitions

*(CT:FIN-398; 04-09-2009)*

**Conflicting non-Federal source:** Any person or entity other than the Government of the United States, when a Department-authorizing official determines that acceptance of a donation from such a source under the circumstances would cause a reasonable person with knowledge of all the relevant facts to question the integrity of Department programs and operations.

**Meeting or similar function:** A conference, seminar, speaking engagement, training course, or similar event that takes place away from the employee’s official duty station and is sponsored or cosponsored by a non-Federal source (see 2 FAM 962.1-8, paragraph e).

**Non-Federal source:** Any person or entity other than the Government of the United States and includes any individual, private, or commercial entity, nonprofit organization or association, state, local, or foreign government, or international or multinational organization.

**Payment:** Funds paid for travel, subsistence, and related expenses by check or similar instrument to the Department or payment in kind.

**Payment in kind:** Goods, services, or other benefits provided by a non-Federal source for travel, subsistence, and related expenses in lieu of funds paid to the Department by check or similar instrument for the same purpose.

**Travel, subsistence, and related expenses:** The same types of expenses payable under the provisions of 14 FAM 500, and when applicable, 41 CFR Chapter 301 (Federal Travel Regulation (FTR)) or volume 1 of the Joint Federal Travel Regulation (JFTR).

#### **4 FAM 469.2-4 Delegation of Authority**

*(CT:FIN-398; 04-09-2009)*

The authority to approve acceptance of payment has been delegated to the management counselor at post for travel within the country of assignment and to the relevant bureau executive director for travel outside of a country of assignment and for all travel of employees stationed in Washington, DC. Any gift for the travel of a person to whom authority has been delegated must be approved at the next higher level.

#### **4 FAM 469.2-5 Conditions for Acceptance of Payments for Employee Travel**

*(CT:FIN-398; 04-09-2009)*

The authorized agency official must make certain determinations before payment can be accepted for an employee's travel under this authority. (See 2 FAM 962.1-8, subparagraph e(1)(b)). Further, the Department-authorizing official must determine if the non-Federal source is disqualified on conflict of interest grounds. Relevant factors are included in 2 FAM 962.1-8, subparagraph e(1)(c).

#### **4 FAM 469.2-6 Payment From a Non-Federal Source Not Sponsoring the Event**

*(CT:FIN-403; 03-03-2010)*

In addition to accepting payment from a non-Federal source that is sponsoring the event, payments may also be accepted from a non-Federal source that does not have an interest in the subject matter of the meeting or similar function. The payment must be provided in kind and consist of the types of services the non-Federal source generally provides, such as air passenger transportation services by commercial airline. Payments can be accepted from more than one non-Federal source in connection with a single event. Department-authorizing officials must make independent determinations for each non-Federal entity that is providing travel expenses.

#### **4 FAM 469.2-7 Spousal Travel**

*(CT:FIN-412; 01-28-2011)*

- a. Department-authorizing officials may accept payment under this part from a non-Federal source for an accompanying spouse. Requests must be submitted for approval to the Office of Employment Law (Ethics). A determination must be made that the spouse's presence at the meeting or similar function is in the interest of the agency. A spouse's presence may be determined to be in the interest of the agency if the spouse will:

- (1) Support the mission of the agency or substantially assist the employee in carrying out his or her official duties;
  - (2) Attend a ceremony at which the employee will receive an award or honorary degree; or
  - (3) Participate in substantive programs related to the agency's programs or operations.
- b. The accompanying spouse must not be deemed a U.S. Government employee for any purpose other than eligibility for payment of travel, subsistence, and related expenses. Except in extraordinary situations, payment cannot be accepted for a spouse's travel unless the spouse is traveling to the same event as the employee.

#### **4 FAM 469.2-8 Payment Guidelines**

*(CT:FIN-403; 03-03-2010)*

- a. Payment other than in kind: Authorized payments from a non-Federal source for an employee and/or accompanying spouse, other than payments in kind, must be by check or similar instrument made payable to the Department of State and should be received by the employee or accompanying spouse on behalf of the Department. Neither the employee nor the spouse is authorized to receive cash, a check, or a similar instrument made payable to the traveler.
- b. Immediately give all checks or similar instruments to the appropriate Department official authorized to accept such payment for approval. He or she will promptly forward it to the Department's banking lockbox operation for deposit to the Department's credit. The Global Financial Operations Directorate (RM/GFS/F) will receive the standardized check deposit memorandum for the deposit and will record the credit to the Department's financial system as a credit to the Department's salaries and expenses appropriation or other appropriate account pursuant to the authority in 31 U.S.C. 1353(a). These deposits will be credited at the appropriation level and will be allotted subsequently to the elements incurring the travel costs.
- c. When the acceptance of payment has been approved in advance, the agency may accept payment in excess of applicable limitations (rates established in the Federal Travel Regulation (FTR) for travel in the continental U.S. and by the Secretary of Defense in the Joint Federal Travel Regulation (JFTR) for travel in other nonforeign areas). Under this arrangement, the accommodation or other benefit furnished must be comparable in value to that offered to or purchased by other similarly situated individuals attending the meeting. When the applicable limitation will be exceeded, payment should be required in advance of the travel.

- d. Payment in kind: Generally, payment in kind from a non-Federal source may be accepted in excess of the limitations under the applicable travel regulations, provided that the accommodation or other benefit is comparable in value to that offered to, or purchased by, other similarly situated individuals attending the meeting or similar function. However, employees may not accept first-class, common carrier accommodations unless specifically approved by the Department.
- e. Offer of free travel after official travel begins: In circumstances where an authorizing official has approved the acceptance of a gift of travel, employees can accept additional travel expenses from the same non-Federal source if the expenses paid or provided in kind are comparable in value to other meeting attendees and there was no disapproval by the Department for these particular expenses. In circumstances where the gift of travel expenses was not approved in advance (e.g., a hotel room is compensated but not known until the employee checks out of the hotel), authorized expenses may be accepted by submitting the facts and circumstances to the approving authority within 7 working days after the trip ends. If the gift of travel is not approved, reimbursement to the donor will be required as described in 41 CFR 304-3.13(b)(3).

#### **4 FAM 469.2-9 Travel Authorization**

*(CT:FIN-398; 04-09-2009)*

The employee and the spouse must travel pursuant to official Department of State travel authorizations in order to use payments covered by this section.

#### **4 FAM 469.2-10 Reimbursement to Employee or Accompanying Spouse**

*(CT:FIN-398; 04-09-2009)*

- a. Each employee or spouse on whose behalf a payment has been accepted under this chapter must file a travel claim on an authorized reimbursement form. The employee or spouse will be reimbursed for expenditures in accordance with the Federal Travel Regulation or analogous provisions of the FAM and Joint Federal Travel Regulation.
- b. For purposes of filing a travel reimbursement claim, payments in kind for otherwise reimbursable expenses (such as transportation or lodging) are treated as if furnished by the U.S. Government.

#### **4 FAM 469.2-11 Reporting**

*(CT:FIN-412; 01-28-2011)*

- a. Semi-annual reports of payments, including payments in kind, of more

than \$250 accepted under the authority of 31 U.S.C. 1353 (see 2 FAM 962.1-8, subparagraph e(1)) must be submitted to Office of Employment Law, Financial Disclosure Division (L/EMP/FD). That office must submit reports to the Office of Government Ethics by May 31 of each year with respect to payments in the preceding period beginning on October 1 and ending on March 31; and November 30 of each year for payments received beginning on April 1 and ending September 30.

- b. For each event where payment in excess of \$250 was accepted for an employee, the bureau executive directors and post management counselors should complete and submit a Form SF-326, Semiannual Report of Payments Accepted from a Non-Federal Source, to L/EMP/FD.
- c. The Form SF-326 should contain the following information:
  - (1) Each event for which payment of more than \$250 is accepted, including the event's description, sponsor, location, date;
  - (2) The names of each employee and spouse (if applicable) for which such payment was accepted, including the employee's position and dates of travel;
  - (3) The identity of the non-Federal source from which payment was accepted; and
  - (4) An itemization of the benefits accepted that includes a description of the type of benefit, the value, and whether it was provided by check or in kind.
- d. Gift of travel expenses approved under 2 FAM 962.1-8, subparagraph e(3), does not have to be reported on Form SF-326. Questions concerning whether travel is reportable should be provided to the Office of Employment Law (Ethics).

#### **4 FAM 469.2-12 Promotional Materials/Compensation for Poor Service**

*(CT:FIN-412; 01-28-2011)*

- a. In general, OPM regulations at 5 CFR 2635.204(c)(3) provide that "an employee may not accept for personal use any benefit to which the Government is entitled as the result of an expenditure of Government funds." However, there are particular laws and regulations relating to travel benefits.
- b. Consistent with the Federal Travel Regulation at 41 CFR 301-53.2 and Public Law 107-107, employees can retain for their personal use any promotional benefits or materials received from a travel service provider in connection with official travel, if such items are obtained under the same conditions as those offered to the general public and at no



additional cost to the Government. This includes but is not limited to both frequent flyer miles and “hotel points.”

- c. Promotional benefits or materials you receive from a travel service provider in connection with your planning and/or scheduling an official conference or other group travel (as opposed to performing official travel yourself) are considered property of the Government, and you may only accept the benefits or materials on behalf of the Federal Government.
- d. If you are involuntarily denied a confirmed reserved seat on a plane while on official travel, any payment you receive for liquidated damages must be given to the Federal Government. However, if you are offered compensation in exchange for voluntarily vacating your seat, you may accept such compensation for personal use as long as:
  - (1) Voluntarily vacating your seat will not interfere with performing your official duties;
  - (2) Additional travel expenses incurred as a result of vacating your seat are borne by you and are not reimbursed; and
  - (3) You are charged with annual leave to the extent your volunteering delays your travel during duty hours.
- e. With regard to other forms of compensation for poor service as a result of official travel, consult the Office of Employment Law (Ethics) and L/M.