

May 8, 2006

FEDERAL TRAVEL REGULATION  
Amendment 2006-03

TO: Heads of Federal agencies

SUBJECT: Amendment 2006-03, FTR Case 2006-303, Travel of an  
Employee with Special Needs—Services of Attendants

1. Purpose. This final rule is amending the Federal Travel Regulation (FTR), to clarify existing authority under the Rehabilitation Act of 1973, as amended, 29 U.S.C. 701-7961, and 5 U.S.C. 3102, that allows agencies to reimburse employees with special needs for expenses incurred for the services of an attendant while on official travel. Specifically, this final rule amends the FTR by adding reimbursement for "services of an attendant traveling with an employee with special needs" as a miscellaneous expense item. This FTR rule was published in the Federal Register at 71 FR 24596, April 26, 2006. The FTR and any corresponding documents may be accessed at GSA's website at <http://www.gsa.gov/ftr>.

2. Effective date. April 26, 2006.

3. Background. In order to provide reasonable accommodations for travel of an employee with special needs, agencies are authorized to pay for a variety of travel expenses as needed by the employee. Allowable expenses include the transportation and per diem expenses incurred by a family member or other attendant who must travel with the employee to make the trip possible. Although authorized by existing statutes, the FTR has not included a provision expressly addressing whether or not agencies may reimburse employees for expenses incurred for the actual services performed by an attendant while on travel with the employee. Accordingly, this final rule adds a provision stating that agencies may reimburse employees for the expenses of an attendant as a miscellaneous travel expense.

4. Explanation of changes. This final rule amends the Federal Travel Regulation (FTR) as follows:

- In section 301-12.1 the table is amended, to add the entry regarding services of an attendant.

- Section 301-13.3 regarding additional travel expenses is revised.

- Section 301-70.400 regarding the authorizations and administration of additional travel expenses is revised.

5. Filing instructions. Remove and insert the following pages to the FTR:

Remove page(s):

301-12-1 and 301-12-2

301-13-1 and 301-13-2

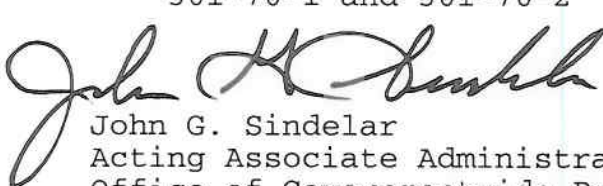
301-70-1 and 301-70-2

Insert page(s):

301-12-1 and 301-12-2

301-13-1 and 301-13-2

301-70-1 and 301-70-2

 5/8/06  
John G. Sindelar  
Acting Associate Administrator  
Office of Governmentwide Policy

Attachment

# AMENDMENT 2006–03 APRIL 26, 2006

Chapter 301—Temporary Duty (TDY) Travel Allowances  
Part 301-12—Miscellaneous Expenses

**§301-12.2**

## PART 301-12—MISCELLANEOUS EXPENSES

**Authority:** 5 U.S.C. 5707.

cellaneous expense. Taxes for reimbursable lodging are deemed approved when lodging is authorized. Examples of such expenses include, but are not limited to the following:

**§301-12.1 What miscellaneous expenses are reimbursable?**

When the following items have been authorized or approved by your agency, they will be reimbursed as a mis-

General expenses	Fees to obtain money	Special expenses of foreign travel
Baggage expenses as described in <a href="#">§301-12.2</a> Services of guides, interpreters, drivers Services of an attendant as described in <a href="#">§301-13.3</a> Use of computers, printers, faxing machines, and scanners Services of typists, data processors, or stenographers Storage of property used on official business Hire of conference center room or hotel room for official business Official telephone calls/service (see note). Faxes, telegrams, cablegrams, or radiograms Lodging taxes as prescribed in <a href="#">§301-11.27</a> Laundry, cleaning and pressing of clothing expenses as prescribed in <a href="#">§301-11.31</a> Energy surcharge and lodging resort fee(s) (when such fee(s) is/are not optional)	Fees for travelers checks Fees for money orders Fees for certified checks Transaction fees for use of automated teller machines (ATMs)—Government contractor-issued charge card	Commissions on conversion of foreign currency Passport and/or visa fees Costs of photographs for passports and visas Foreign country exit fees Costs of birth, health, and identity certificates Charges for inoculations that cannot be obtained through a Federal dispensary

**Note to §301-12.1:** You should use Government provided services for all official communications. When they are not available, commercial services may be used. Reimbursement may be authorized or approved by your agency.

**§301-12.2 What baggage expenses may my agency pay?**

Your agency may reimburse expenses related to baggage as follows:

- (a) Transportation charges for authorized excess;
- (b) Necessary charges for transferring baggage;
- (c) Necessary charges for storage of baggage when such charges are the result of official business;
- (d) Charges for checking baggage; and
- (e) Charges or tips at transportation terminals for handling Government property carried by the traveler.

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# AMENDMENT 2006–03 APRIL 26, 2006

## PART 301-13—TRAVEL OF AN EMPLOYEE WITH SPECIAL NEEDS

**Authority:** 5 U.S.C. 5707.

### §301-13.1 What is the policy for paying additional travel expenses incurred by an employee with a special need?

To provide reasonable accommodations to an employee with a special need by paying for additional travel expenses incurred.

### §301-13.2 Under what conditions will my agency pay for my additional travel expense(s) under this part?

When an additional travel expense is necessary to accommodate a special physical need which is either:

- (a) Clearly visible and discernible; or
- (b) Substantiated in writing by a competent medical authority.

### §301-13.3 What additional travel expenses may my agency pay under this part?

Your agency approving official may pay for any expenses deemed necessary by your agency to accommodate an employee with a special need including, but not limited to, the following expenses:

(a) Transportation and per diem expenses incurred by a family member or other attendant who must travel with you to make the trip possible;

(b) Specialized transportation to, from, and/or at the TDY duty location;

(c) Specialized services provided by a common carrier to accommodate your special need;

(d) Costs for handling your baggage that are a direct result of your special need;

(e) Renting and/or transporting a wheelchair;

(f) Premium-class accommodations when necessary to accommodate your special need, under [Subpart B of Part 301-10](#) of this subchapter; and

(g) Services of an attendant, when necessary, to accommodate your special need.

**Note to §301-13.3(g):** For limits on the amount that may be paid to an attendant, other than travel expenses, see 5 U.S.C. 3102 and guidance at [http://www.opm.gov/disability/mngr\\_6-01-B.asp](http://www.opm.gov/disability/mngr_6-01-B.asp).

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**PART 301-70—INTERNAL POLICY AND PROCEDURE REQUIREMENTS**

**Subpart A—General Policies and Procedures**

**Authority:** 5 U.S.C. 5707; 40 U.S.C. 121(c); Sec. 2, Pub. L. 105-264, 112 Stat. 2350 (5 U.S.C. 5701 note), Office of Management and Budget Circular No. A-126, “Improving the Management and Use of Government Aircraft.” Revised May 22, 1992.

**§301-70.1 How must we administer the authorization and payment of travel expenses?**

When administering the authorization and payment of travel expenses, you—

- (a) Must limit the authorization and payment of travel expenses to travel that is necessary to accomplish your mission in the most economical and effective manner, under rules stated throughout this chapter;
- (b) Should give consideration to budget constraints, adherence to travel policies, and reasonableness of expenses;
- (c) Should always consider alternatives, including teleconferencing, prior to authorizing travel; and
- (d) Must require employees to use the eTS to process travel authorizations and claims for travel expenses once you migrate to the eTS, but no later than September 30, 2006, unless an exception has been granted under [§§301-73.102](#) or [301-73.104](#) of this chapter.

**Subpart B—Policies and Procedure Relating to Transportation**

**§301-70.100 How must we administer the authorization and payment of transportation expenses?**

You must:

- (a) Limit authorization and payment of transportation expenses to those expenses that result in the greatest advantage to the Government;
- (b) Ensure that travel is by the most expeditious means practicable.

**§301-70.101 What factors must we consider in determining which method of transportation results in the greatest advantage to the Government?**

In selecting a particular method of transportation you must consider:

- (a) The total cost to the Government, including per diem, overtime, lost worktime, actual transportation cost, total distance of travel, number of points visited, the number of travelers and energy conservation. As stated in 5 U.S.C. 5733, “travel of an employee shall be by the most expeditious means of transportation practicable and shall be commensurate with

the nature and purpose of the duties of the employee requiring such travel.”

- (b) Travel by common carrier (air, rail, bus) is considered the most advantageous method to perform official travel. Other methods of transportation may be authorized as advantageous only when the use of common carrier transportation would interfere with the performance of official business or impose an undue hardship upon the traveler, or when the total cost by common carrier exceeds the cost by another method of transportation. A determination that another method of transportation is more advantageous to the Government than common carrier will not be made on the basis of personal preference or inconvenience to the traveler.

**§301-70.102 What governing policies must we establish for authorization and payment of transportation expenses?**

You must establish policies and procedures governing:

- (a) Who will determine what method of transportation is more advantageous to the Government;
- (b) Who will approve any of the following:
  - (1) Use of business-class service for airlines under [§301-10.124](#) and first-class service for air, rail, and ship under [§§301-10.123](#), [301-10.162](#), and [301-10.183](#) of this chapter;
  - (2) Use of a special-reduced fare or reduced group or charter fare;
  - (3) Use of an extra-fare train service under [§301-10.164](#);
  - (4) Use of ship service;
  - (5) Use of a foreign ship;
  - (6) Use of a foreign air carrier;
- (c) When you will:
  - (1) Require the use of a Government vehicle;
  - (2) Allow the use of a Government vehicle; and
  - (3) Prohibit the use of a Government vehicle;
- (d) When you will consider use of a POV advantageous to the Government, such as travel to/from common carrier terminals, or transportation to a TDY location;
- (e) Procedures for claiming POV reimbursement;
- (f) When you will allow use of a special conveyance (e.g., commercially rented vehicles);
- (g) What procedures an employee must follow when he/she travels by an indirect route or interrupts travel by a direct route; and
- (h) For local transportation whether to reimburse the full amount of transportation costs or only the amount by which transportation costs exceed the employee’s normal costs for transportation between:
  - (1) Office or duty point and another place of business;
  - (2) Places of business; or

(3) Residence and place of business other than office or duty point.

**§301-70.103 In what circumstance may we authorize use of ship service?**

Travel by ship is not generally regarded as advantageous. You must determine that the advantages accruing from the use of ocean transportation offset the higher costs associated with ship travel, *i.e.*, per diem, transportation, and lost worktime.

**§301-70.104 What factors should we consider in determining whether to require an employee to commit to the use of a Government automobile?**

You should consider:

(a) The advantages of using a Government automobile. Such advantages may include, but are not limited to:

- (1) Full utilization or availability of fleet vehicles;
- (2) Lower cost;
- (3) Official presence.

(b) The type of travel the employee performs. You should require such a commitment when an employee or group of employees requires the use of an automobile for official travel on a frequent or repetitive basis.

**§301-70.105 May we prohibit an employee from using a POV on official travel?**

No, but if the employee elects to use a POV instead of an alternative form of transportation you authorize, you must:

(a) Limit reimbursement to the constructive cost of the authorized method of transportation, which is the sum of per diem and transportation expenses the employee would reasonably have incurred when traveling by the authorized method of transportation; and

(b) Charge leave for any duty hours that are missed as a result of travel by POV.

**Subpart C—Policies and Procedures Relating to Per Diem Expenses**

**§301-70.200 What governing policies must we establish for authorization and payment of per diem expenses?**

You must establish policies and procedures governing:

- (a) Who will authorize a rest period;
- (b) Circumstances allowing a rest period during prolonged travel (see [§301-11.20](#) for minimum standards);
- (c) If, and in what instances, you will allow an employee to return to his/her official station on non-workdays;
- (d) Who will determine if an employee will be allowed to return to his/her official station on a case by case basis.
- (e) Who will determine in what instances you will pay a reduced per diem rate;
- (f) Who will determine, and in what instances, actual expenses are appropriate in each individual case; and
- (g) If you will define a radius broader than the official station in which per diem or actual expense will not be authorized.

**Subpart D—Policies and Procedures Relating to Miscellaneous Expenses**

**§301-70.300 How should we administer the authorization and payment of miscellaneous expenses?**

You should limit payment of miscellaneous expenses to only those expenses that are necessary and in the interest of the Government.

**§301-70.301 What governing policies must we establish for payment of miscellaneous expenses?**

You must establish policies and procedures governing:

- (a) Who will determine when excess baggage is necessary for official travel;
- (b) When you will pay for communications services, including whether you will pay for a telephone call to the employee’s home or place where the employee’s dependent children are;
- (c) Who will determine if other miscellaneous expenses are appropriate for reimbursement in connection with official travel.

**Subpart E—Policies and Procedures Relating to Travel of an Employee with a Disability or Special Need**

**§301-70.400 How should we authorize and administer the payment of additional travel expenses for an employee with a disability or special need?**

You should authorize and administer the payment to reasonably accommodate employee(s) with disabilities in accordance with the Rehabilitation Act of 1973, as amended, (29 U.S.C. 701-796*I*) and 5 U.S.C. 3102 and [Part 301-13](#) of this chapter. An employee with a special need should be treated the same as an employee with a disability. You must determine that additional travel expenses are necessary to accommodate the employee’s needs.

**§301-70.401 What governing policies and procedures must we establish regarding travel of an employee with a disability or special need?**

You must establish the policies and procedures governing:

- (a) Who will determine if an employee has a disability or special need which requires accommodation, including when documentation is necessary under [§§301-10.123](#), [301-10.124](#), [301-10.162](#), and [301-10.183](#), and when a determination may be based on a clearly visible physical condition; and
- (b) Who will determine how to reasonably accommodate the employee and what expenses you will pay.