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	U· S· DEPARTMENT OF THE INTERIOR OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT **DIRECTIVES SYSTEM**	Subject Number: TRV-1 Transmittal Number: 368 Date: 8/25/87

Subject: Domestic Temporary Duty Travel Policies and Procedures

Approval: | **Title:** Acting DIRECTOR

1. PURPOSE. This directive establishes the Office of Surface Mining Reclamation and Enforcement (OSMRE) policies for official domestic travel and transportation where latitude exists for Bureau administrative determination under the applicable laws and regulations. It also sets forth some non-discretionary policies and roles which are particularly critical and require the special attention of managers and travelers.

These guidelines supplement those set forth in the Federal Travel Regulations (FTR), the Departmental Manual (DM), and other official sources. This directive does not contain all the rules which regulate Government travel. Travelers and administrators of Government travel must refer to the other official sources to obtain all the rules which govern official travel. For this purpose the Federal Travel Regulations and the appropriate part of the Departmental Manual are provided as appendices to this directive. As these rules are updated revisions will be sent to all offices maintaining a set of the OSMRE directives.

2. DEFINITIONS

- Official Duty Station. An employee's off cial station is the place at which he performs the major part of his duties and is expected to spend the greater part of his time. (B-182427, October 9, 1975).

- Local and Vicinity Travel. Expenditures for local transportation of employees at their official duty station do not constitute travel expenses and are therefore properly chargeable as an administrative expense, rather than as a travel expense (24 Comp. Gen 858).

- Residence. The place from which an employee commutes daily to work. (B-176650, February 28, 1973, etal), or the place identified on the Employee's Withholding Allowance Certificate (Form W-4 or W-4A) or the place identified in block 5 f of the travel voucher form, when the primary residence is located other than at the permanent duty station location

3. POLICY/PROCEDURES.

a. General. Official travel shall be limited to the minimum necessary to accomplishment of OSMRE's mission. All official travel must be authorized and approved by an official in whom authority is vested by statute or regulation or to whom such authority has been formally delegated.

When travel is required, the traveler must plan the trip carefully so that it is accomplished in the most economical and expeditious manner.

Officials authorizing travel are responsible for determining that the travel authorized is necessary to the conduct of Government business and that the expenses authorized do not exceed those which are legal and necessary.

The traveler is responsible for the following matters incidental to official travel:

- Obtaining advance authority for the complete itinerary involved and for complying with the regulations governing Government travel.

- Obtaining and submitting with the travel voucher, the necessary mileage records, receipts, and other items required to document the expenditure of Government funds for travel.

- Securing transportation in accordance with approved classes and rates.

- Accurately preparing and promptly submitting travel vouchers to support the expenditure of Government funds for travel. Vouchers should be submitted within 5 work days of the completion of travel. In the case of employees submitting monthly vouchers, they must be submitted within 5 work days after the end of the calendar month in which travel was completed.

- Promptly returning any funds advanced for travel which are not required for use in the immediate future.

- Providing security for tickets and Government Travel Requests (GTR's) against loss or theft, and for promptly reporting all losses to the Division of Financial Management.

Travel will be conducted in strict accordance with the applicable Federal laws and regulations, including the Federal Travel Regulations, Departmental Manual and OSMRE Directives.

b. Authorization of Travel.

(1) Redelegation of the Director's Authority. The Director, Office of Surface Mining Reclamation and Enforcement has redelegated many of his travel authorities to various OSMRE officials. These redelegations are to be found in OSMRE Directive OPM-5 "Delegations of Authority". Authorities not specifically redelegated in the OPM-5 directive are not to be exercised by OSMRE officials.

Some of the authorities redelegated by OPM-5 are subject to redelegation again by the officials to whom they are delegated. These local redelegations must be documented in writing in office directives or memorandums.

(2) Preparation of Travel Authorizations.

(a) General (Unlimited Open) Travel Authorization. This type of authorization permits an individual to travel throughout the United States, its territorial possessions and the Trust Territory of the Pacific Islands as may be necessary during the fiscal year for any purpose except conference attendance, training, foreign travel, entitlement travel and relocation travel. This type of authorization is limited in OSMRE to the Director and the Deputy Directors.

(b) Area (Limited Open) Travel Authorization. This type of authorization permits an individual to travel within a defined geographic area and for a specific purpose during the fiscal year without further authorization except for conference attendance, training, foreign travel, entitlement travel and relocation travel. The heads of OSMRE field organizations may issue area travel authorizations as required. Area travel authorizations for Headquarters employees may be issued by the Assistant, Director, Finance and Accounting.

(c) Trip Travel Authorization. This type of authorization permits an individual to travel on a single trip to specified locations for specific purposes. Trip authorizations are required for all OSMRE employees traveling for the purpose of conference attendance, training, permanent change of station, foreign travel and entitlement travel. The authorization must clearly state the origin, destination(s) and the period of temporary duty.

(d) Required Statement of Trip Purpose. The Federal Travel Regulations require that the purpose of official travel be stated in the travel authorization. This will be accomplished in OSMRE by providing the appropriate two digit code from Appendix 8 to this Directive. The selected code should be marked in box 11. on the travel authorization form.

(e) Requirement for Titles of Approving Officials. Since the authority for approving travel has been delegated to organizational positions, not to officials by name, it is required that the title of signing official be provided whenever he/she exercises that authority. A person acting on behalf of the authorized official must provide the title of that official preceded by "Acting".

c. Travel Advances.

(1) Policy. The purpose of making travel advances is to eliminate the need for travelers to use their own funds for most costs of official travel.

Under normal conditions travelers are expected to obtain their travel advances by means of Treasury check. Payment of advances from the imprest fund should be limited to emergency situations where circumstances will not allow for sufficient lead time to obtain the advance by Treasury check. Travelers should make arrangements to request travel advances by Treasury check at least three weeks in advance of the beginning of a trip. Where the amount of the advance is small (less than $150) it is appropriate to utilize the imprest fund to avoid the relatively high cost of Treasury check issuance.

(2) Limitations on Travel Advances. Generally, travel advances will be granted on a trip by trip basis, although continuing "rollover" advances may be allowed for employees in continual travel status (e.g., in travel status at least 50% of the work time over a period of 3 successive months). Continuing advances will be monitored on a quarterly basis by DFM and at no time should exceed the average of six weeks travel expense as averaged over a three month period.

Those employees determined to be frequent travelers, eligible to secure the Government charge card from Diners Club, will be limited to an advance of $35.00 per day unless a special rate has been authorized.

Subsequent travel advances will not be allowed for employees with delinquent outstanding travel advance balances. (For definition of delinquent travel advances see (4) below).

Advances for extended temporary duty travel and for permanent change of station (PCS) travel will be limited to the funds needed for no more than 30 days.

(3) Diners Club Government Charge Card. The Diners Club Government charge card will be made available to all OSMRE frequent travelers. Frequent travelers are those employees anticipated to make at least five trips on official business during a fiscal year. This determination will be made by the official who authorizes the employee's travel and will be documented by an approval signature on the form which must accompany each application for a charge card. (See Appendix 1).

When an employee's status changes to that of an infrequent traveler, no longer eligible for the Government charge card, it will be the responsibility of the travel authorizing official to ensure that the card is cancelled or that Diners Club is instructed not to renew the card on the anniversary date. This can be accomplished by telephone notification of the Government Charge Card Coordinator in the Division of Financial Management.

(4) Time Frame for Repayment of Travel Advances. Outstanding travel advances for temporary duty travel will be considered delinquent if not repaid or offset by a travel voucher within 30 days of completion of the travel for which the advance was made.

(5) Recovery of Delinquent Travel Advances. Delinquent travel advances are subject to recovery under provisions of the Debt Collection Act. After due notice has been given, with no response from the traveler, the delinquent amount may be withheld from the traveler's pay along with appropriate charges for interest, penalty and administrative costs. Administrative offset against salary will be made at the rate of 15% of the disposable salary until the entire amount of the advance has been recovered. (See Appendix 2 for the general conditions applicable to recoveries under the Debt Collection Act). The employee may halt this recovery process before it begins or at any time during the salary offset collection by submitting a check for the entire balance due, submitting a travel voucher to offset the indebtedness, proposing an acceptable alternative means to make repayment, or by filing a request for a waiver of repayment.

(6) Requests for Exceptions to Travel Advance Payment and Recovery Procedures. Exceptions to these limitations and procedures may be approved on an individual basis by the Deputy Director, Administration and Finance. The request for exception should be in the form of a memorandum, or, in the case of an emergency, by telephone call followed up by a memorandum. Requests for Headquarters personnel should be routed through the Assistant Director, Budget and Administration. Those for Field personnel should be routed through the appropriate Assistant Director, Field Operations.

d. Acceptance of Transportation and Travel-Related Expense Paid by Private Parties. The Departmental regulations state in Part 20.735-4, "Employee Responsibilities and Conduct," that "Except as specifically authorized by law, when an employee is on official duty (no leave status) all travel and accommodations shall be at Government expense and his or her acceptance of outside reimbursement for travel expenses or services in kind from private sources, either in his or her behalf or in behalf of the Government, is not allowed (18 U.S.C. 209). This includes instances where an employee is officially directed to participate in a convention, seminar, or similar meeting sponsored by a private source for the mutual interest of Government and the private source. In such instances, expenses shall be charged to the appropriate bureau or Department appropriation." Exceptions to this policy may only be approved on a case by case basis by the Deputy Director, Administration and Finance.

e. Travel Promotional Materials and Compensation for Denied Boarding. The Comptroller General has ruled that promotional materials including compensation for denied boarding (e.g., bonus flights, reduced-fare coupons, cash, merchandise, gifts, credits toward free or reduced costs of services or goods, etc.), received by employees in connection with official travel and based on the purchase of a ticket or other services (e.g., car rental), are properly considered to be due the Government and may not be retained by the employee (see Comptroller General Decisions, B-212236, and B-210717, Appendix 3). When an employee receives such material, the employee will accept on behalf of the United States and relinquish it to the head of his office.

Coupons that provide for future free or reduced costs of services (travel) will be retained by the traveler's office and be applied to the maximum extent possible against future official travel.

Coupons that carry a cash surrender value shall be redeemed immediately by the traveler. The cash received from redeemed coupons or other cash compensation (i.e., denied boarding or cancellation of reservations by carriers, etc.), shall be surrendered to an OSMRE Collection Officer and sent to the Division of Financial Management for deposit in accordance with Department of Treasury requirements. All deposits will be credited to Miscellaneous Receipt Account No. 1699, "Miscellaneous Dividends and Earnings, Not Otherwise Classified".

Airlines are required to ask for volunteers to give up their reserved seats before the airline denies boarding to any passenger with a reservation. They are free to determine the amount to be paid to volunteers. Government employees voluntarily vacating a reserved seat may retain the payment received from the airline under the following conditions:

- Employees should not voluntarily give up their seats if it will interfere with the performance of official duties.

- If an employee voluntarily gives up his/her seat and, as a result, incurs additional travel expense beyond those which would have normally occurred, these additional expenses must be offset against the payment received by the employee.

- If the employee's travel is delayed during official duty hours, the employee would be charged annual leave for the additional hours.

Airline payments to volunteers are distinguishable from denied boarding compensation, wherein penalty payments are due the Government.

f. Authorization of Actual Expenses in Unusual Circumstances Where Per Diem Allowance is Insufficient. The Federal Travel Regulations (FTR) provide for authorization of travel on actual reimbursement basis where it has been established that the applicable maximum per diem rate is inadequate due to special or unusual circumstances.

The following procedures for requesting rates higher than those established in the FTR address two different circumstances which are encountered by travelers:

(1) Situation where the cost of all acceptable lodging in the area exceeds the FTR allowance.

The proposing office will conduct a survey of acceptable lodging establishments in the travel location (see localities listed in Appendix 1-A of FTR) to determine the average lodging cost.

If the average actual lodging cost exceeds by 10% the maximum lodging reimbursement rate for the area, the proposing office may request authorization of travel on an actual reimbursement basis with the maximum rate not to exceed 150% of the per diem rate established in the FTR for the area. The required special rate is to be determined by adding the average lodging cost determined by survey to the meal and incidental expense (M&IE) rate established by the FTR. The example below demonstrates determination of a special rate proposal:

Location: Clinton, Oklahoma, FTR rate = $57.00 per day

Motel Survey:	
Motel A:	$ 37.00/day
Motel B:	$ 35.00/day
Motel C:	$ 40.00/day
Total:	$112.00
Average:	$ 37.33
FTR Rate:	$ 32.00
Average/FTR:	117%

Proposed subsistence imbursement rate:	
Actual average lodging:	$37.33
FTR M&IE rate:	$25.00
Total:	$62.33

Approved special rates will not be established for an indefinite period. They will be approved for the anticipated period of requirement, e.g., tourist season, special event, etc. In no case will they be approved for more than one year. If the need still exists beyond the initial year period another survey will be conducted and a new proposal will be submitted for approval.

The approving authority will be the Deputy Director, Administration and Finance. Proposals will be submitted in the format of the attached sample request (Appendix 4). Requests for Headquarters personnel should be routed through the Assistant Director, Budget and Administration. Those for field personnel should be routed through the appropriate Assistant Director, Field Operations.

Once the temporary high rate has been approved the rate will be applicable to actual reimbursement travel authorizations issued under local approval authority.

(2) Situation where lodging and/or meals can be obtained in the travel area within the FTR allowances but circumstances necessitate obtaining lodging and/or meals at a higher cost.

The FTS allows for the establishment of higher per diem allowances in the following circumstances:

- Where arrangements have been made by others than the employee for a meeting or conference whereby attendants are required to lodge and/or take their meals at a specific facility and the price exceeds the FTR allowance.

- Subsistence costs at the travel location have escalated for short periods of time due to special functions or events.

- The conduct of official business requires an expenditure for meals and/or lodging which exceeds the FTR allowance.

The traveler will request authorization of a higher allowance before traveling, if possible. Where it is not possible to secure approval on the travel authorization the higher rate can be approved on the travel voucher. The request for the higher rate must set forth circumstances which make the special rate necessary in sufficient detail for the authorizing official to make a determination.

The higher rate approved, documented in the travel authorization or on the travel voucher, must be expressed as a separate rate for lodging and for meals. The separate rates for each category, lodging and meals, will not exceed 150% of the rates established in the FTR. For example, special rates for Washington, D.C., where the FTR rates are $79 for lodging and $33 for meals, will not exceed $118.50 for lodging and $49.50 for meals.

The approving authority for this category of special rates will be the Assistant Director for the traveler's organization. The approval will consist of either signing the travel authorization which establishes the higher rate in advance of travel or signing the travel voucher which post-approves the higher rate.

(3) Travel Vouchers for Special Rates

When a special rate for M & I E has been approved in excess of that set in the FTR, the travel voucher will be prepared on an actual reimbursement basis, i.e., individual meals will be separately claimed at actual cost. Itemization is not required when the special rate affects only the lodging rate.

g. Subsistence Payments For Extended Training Assignments. When an employee is assigned to training at a temporary duty station which will extend beyond 30 calendar days, the subsistence rate, applicable from the beginning of the assignment, will be established in accordance with one of the criteria below:

- Subsistence (meals, lodging and incidental expenses) allowance set at 55 percent of the applicable per diem rate established in the Federal Travel Regulations.

- Actual subsistence expenses. Any payment of actual expenses exceeding 55 percent of the FTR per diem rate must be supported by documentation of the circumstances (e.g., unavailability of acceptable lower cost lodging) and must be approved by the Department of the Interior Office of Financial Management. Payment of actual subsistence expenses may not exceed the applicable full per diem rate specified by the FTR.

The subsistence payment method selected from the above options must be documented in the travel authorization. These procedures are in conformance with the requirements of the Office of Personnel Management Regulations, 5 CFR 410.603 and Departmental Manual 370 DM 410, 6.2.

h. Special Per Diem Provision for Extended Temporary Duty Other Than Training. When an employee is assigned to a temporary duty location for a period of time in excess of 60 days, consideration should be given to establishing a reduced rate for meals and incidental expenses (M&IE). The reduced rate would be in consideration of the employee's securing lodging with housekeeping facilities where meals could be prepared at a lower price than is obtainable from restaurants. The lower rate should be negotiated by the official authorizing the travel and should be effective the date that occupancy of lodging with housekeeping facilities commenced. The reduced rate should be expressed as a flat M&IE rate and cited in the travel authorization.

i. Weekend Return to Permanent Duty Station While on Long Term Temporary Duty. Employees are occasionally assigned to temporary duty which requires them to be in travel status for extended periods. When the cost of per diem at the temporary duty station during the non-duty (week-end) periods will exceed the cost of transportation to and from the employee's permanent duty station, the employee may be authorized to return to his or her permanent duty station at Government expense.

Additionally, even when the cost of transportation to and from the permanent duty station will exceed the cost of per diem at the temporary duty location, it is the policy of OSMRE to authorize return at Government expense to the permanent duty station for one weekend trip for each two full work weeks (80 hours) of duty at the temporary duty location.

A traveler also has the option of returning to his permanent duty station on weekends, when the cost of transportation exceeds the cost of weekend per diem, if he is willing to pay the Government for the difference between the total cost and the deferred per diem cost. Only those per diem costs which are actually deferred may be used to offset transportation costs. If lodging has been obtained on other than daily basis and the charge will continue over the weekend, the cost of lodging cannot be used to offset transportation costs.

j. Lodging Away from the Temporary Duty Station Location. Employees in travel status who are required to stay overnight are expected to obtain lodging at the temporary duty station designated in their travel authorization. However, if an employee obtains lodging away from the temporary duty station because of personal preference, the allowable per diem rate for lodging shall be limited to that prescribed for the temporary duty location.

Travelers having an itinerary requiring multiple temporary duty locations, who are unable to reach their next temporary duty station during the business day, and who decide to stop for lodging at an intermediate point, shall be reimbursed at the per diem rate for the stopover point.

k. Government Purchase of Lodging and/or Meals. Unless it can be shown that a significant cost saving can be realized by procuring lodging and/or meals with a Government purchase order, hotel and motel accommodations will be obtained by each Government traveler individually, with reimbursement of costs through submission of a travel voucher. In those instances when a purchase order is used to obtain lodging and/or meals, the voucher audit copy of the purchase order which is forwarded to the Division of Financial Management must be accompanied by the names of the OSMRE employees, and/or persons on invitational travel, to be provided lodging and/or meals. The purchase order itemization must be specific enough to preclude the provision of unauthorized services by the vendor. The vendor must be instructed to prepare an invoice in such a manner that it can be determined exactly what was charged for lodging, meals and miscellaneous expenses. (Miscellaneous expense shall include such services as meeting rooms, audiovisual equipment, etc.)

The vendor's invoice must be supported by a list of the individuals provided lodging and meals under the purchase order, a description of how meals were provided within the M & I E rate or a copy of itemized meal charges demonstrating they are within the M & I E rate, and an official statement of the room rate.

The purchase order will be audited under the same rules which regulate the travel of Government employees which is reimbursed through travel vouchers. The maximum amount which can be reimbursed to the traveler and/or paid to the vender cannot exceed the per diem rate authorized for the location of the hotel and motel. The responsible program office will retain the vendor support documents for audit purposes.

All persons provided with meals and/or lodging under a Government purchase order must be traveling on official business authorized by a written travel authorization. If no other travel expenses for the particular trip will be claimed by employees through submission of a travel voucher, a single travel authorization can be prepared for all the participants which will be supported by a list of all individuals covered by that authorization. The travel of each participant who will submit a travel voucher must be authorized on a separate travel authorization.

Where individual meals are provided at nominal or no cost, either directly or indirectly by a Federal agency, per diem will be reduced. However, in no instance should the amount paid to the employee be reduced to the point where the employee would receive less than the daily incidental expense allowance of $2.00. The M & I E allowance will not be reduced for meals provided on common carriers or for complimentary meals made available by the provider of lodging accommodations. The FTR provides the following breakdown for the M & I E allowance portion of the per diem rate:

M & I E Rate	$25	$33
Breakfast	$ 5	$ 7
Lunch	5	7
Dinner	13	17
Incidentals	2	2

For each meal provided at Governmental expense, but without charge to the traveler, the M & I E rate will be decreased by the appropriate amount shown in this table.

1. Travel by Air Accommodations Exceeding Tourist Class. The use of air accommodations exceeding tourist class is prohibited except under the limited conditions and procedures covered in this section.

An authorization for use of air accommodations exceeding tourist class shall be obtained in advance of the travel unless extenuating circumstances or emergency situations make advance authorization impossible. In cases where authorization cannot be requested in advance the employee must forward a written request for approval at the earliest possible time after the completion of travel and include copies of the travel authorization and travel voucher.

Requests for the use of air accommodations exceeding tourist class shall be prepared in the form of a memorandum from the employee through the Director, OSMRE and the Assistant Secretary, Lands and Minerals Management to the Secretary of the Interior (See Appendix 5). Request memorandums will be submitted in triplicate to the Deputy Director, Administration and Finance, and shall contain the following information:

- Name, grade, and title of the traveler.
- Travel itinerary: dates, times, terminal points.
- Cost analysis: incurred cost versus next lower class cost.

Explanation of the circumstances which make use of air accommodations exceeding tourist class necessary. The only acceptable reasons are:

- Space is not available in tourist class accommodations on any scheduled flights at the time necessary to accomplish the purpose of the travel, which is so urgent that it cannot be postponed.

- Air accommodations exceeding tourist class are necessary because the employee is so handicapped or otherwise physically impaired that tourist class accommodations cannot be used. Such condition must be substantiated by a statement from a competent medical authority.

- Air accommodations exceeding tourist class have been determined by the Secretary of the Interior to be essential to the successful performance of an agency mission.

- Tourist class accommodations on foreign carriers do not provide adequate sanitation or health standards.

- The use of air accommodations exceeding tourist class would result in an overall cost savings to the Government based on economic considerations.

NOTE: The situation where the airline, due to overbooking, seats the Government traveler in the first class section, but charges the fare for tourist class, does not require the approval of the Secretary.

m. Prohibition on Use of Personal Funds to Purchase Transportation Costing $100 or More. The Department requires that common carrier tickets costing $100 or more be purchased through use of a Government Transportation Request (GTR). The only exception to this requirement is that charge cards issued to Federal employees under the Government contract with Diners Club, Inc., may be used to purchase passenger transportation services. No other credit or charge cards may be used to purchase transportation services in connection with official travel. Employees should not use personal or travel advance funds to purchase tickets of $100 or more except in emergency circumstances. Emergency circumstances are limited to those situations where an employee must travel and cannot purchase a ticket with a GTR. Transportation for a spouse's house hunting trip and a spouse and family relocation trip must be purchased with a GTR or with a charge card issued under the Government contract with Diners Club, Inc.

In instances where personal funds exceeding $100 are used to purchase transportation, reimbursement of the cost of transportation purchased requires approval by the Deputy Director, Administration and Finance. Failure to obtain the required written approval makes the employee liable for all costs exceeding $100.

Request for approval should be in the form of a memorandum from the employee to the Deputy Director, Administration and Finance. (See Appendix 6). Request memorandums, including a copy of the travel authorization, shall contain the following information:

- Name and position or title of the employee.

- Explanation of the emergency circumstances justifying the use of cash instead of a U.S. Government Transportation Request (SF 1169), or Government charge card, to purchase transportation costing $100 or more.

- Name and address of the person to whom the request for approval is to be returned after action by the Deputy Director, Administration and Finance.

When a ticket is purchased by means other than a GTR or Government charge card, the traveler shall assign to the Government the right to recover any excess payments involving carriers' use of improper rates. The assignment is pre-printed on the travel voucher form and shall be initialed by the traveler.

n. Travel for Pre-Appointment Interviews. Limited authority exists for the payment by the Government of travel costs for certain employment candidates for the purpose of job interviews to ascertain qualifications. (See Federal Personnel Manual, Chapter 571).

The categories of employees eligible for these travel expenses are:

- Competitive service positions at GS-14 and above.

- Unique positions at GS-13 and below characterized by an unusual combination of duties, responsibilities and qualification requirements.

- Certain Senior Executive Service positions.

- Positions for which the Office of Personnel Management has determined there is a manpower shortage.

- Positions covered by direct hire authority issued or approved by OPM for shortage occupations.

The exercise of this authority is subject to prior approval by the Office of Personnel Management. All proposals to pay travel costs for pre-appointment interviews must be submitted to the Assistant Director, Budget and Administration, who, in consultation with the OSMRE Personnel Officer, will seek the required authorization from OPM.

o. Travel of Experts, Consultants and Private Parties Serving Without Compensation. The travel costs of private parties traveling on Government business may be paid by the Government. All such travel is subject to Federal Travel Regulation conditions and rates. The Deputy Director, Administration and Finance, will determine when it is appropriate for the Government to bear the expense of this travel. All authorizations of this type of travel are subject to that official's approval.

Private parties who are compensated for their services by means of a purchase order or contract normally include the cost of any incidental travel as part of their price quotation and secure reimbursement through submission of an invoice for the service rendered.

p. Reimbursement of Witnesses in Legal Proceedings for Travel and Per Diem Expenses. The authority for the payment of travel expenses of a witness, other than a Government employee testifying in his official capacity, attending in any court of the U.S., or before a U.S. magistrate, or before any person authorized to take his deposition pursuant to any rule or order of a court of the U.S., is contained in 28 U.S.C 1821. The expenses authorized for reimbursement are:

- Attendance fee of $30.00 per day for each day in attendance and for each day of travel to and from the place of attendance.

- Actual transportation cost by common carrier not to exceed the most economical rate. The common carrier ticket should be purchased by the Government with a GTR.

- Privately owned vehicle mileage at the appropriate rate published in the current Federal Travel Regulations.

- Toll charges for toll roads, bridges, tunnels and ferries.

- Taxicab fares and parking fees (upon presentation of a valid parking receipt).

- Subsistence allowance not to exceed the maximum allowance for the geographical location which is prescribed by the Federal Travel Regulations. Lodging receipts must be submitted with the witness's claim.

The witness should be advised of his entitlement to reimbursement of costs associated with his attendance at court and assisted in preparing his claim. The claim need not be in any particular format but should clearly identify the cost items, be signed by the claimant and provide the mailing address for the reimbursement check. Parking and lodging receipts must accompany the claim when these costs are requested for reimbursement.

The witness's claim should be delivered to the administrative office of OSMRE which is knowledgeable of the circumstances of the court appearance. That office should forward the claim for payment to the Division of Financial Management with a completed "Public Voucher for Fees and Mileage of Witnesses" (SF 1156) (Appendix 9) signed by the OSMRE official who has authority for approving expenditure of funds from the account identified to fund the reimbursement.

q. Commuting to a Temporary Duty Location from Residence. The Federal Travel Regulations (FTR) state that: "It is the responsibility of each department and agency to authorize only such per diem allowances as are justified by the circumstances affecting the travel." (FTR 1-7.3.a.)

The Comptroller General's decisions have long held that per diem is not a statutory right and that it is within the discretion of the agency to pay per diem only to the extent it is necessary to cover the increased expenses arising from the performance of official duty (55 Comp. Gen. 1323 (1976); 31 Comp. Gen. 264 (1952); B-211244, September 27, 1983).

Accordingly, when an employee is commuting daily from his/her residence to a temporary duty location, ordinary expenses normally incurred at the residence location, e.g., meals, will not be reimbursed. In order to be reimbursed for expenses incurred while at the residence location, employees must show that they are required because of the temporary duty assignment and that they are real expenses above and beyond those normally incurred by an employee living and working at a permanent duty station.

For the purpose of implementing these guidelines, the employee's residence will be assumed to be the home address identified by him/her on the Employee's Withholding Allowance Certificate (Form W-4). This residence identification is that which must be provided by the traveler in Block 1f. of the Travel Voucher (SF-1012).

In summary, the cost of lodging, meals and incidental expenses will not be reimbursed when incurred at either the permanent duty station or residence locations.

r. Time and Distance Limitations on Per Diem Payments. When an employer on a regular tour of duty is in a travel status less than 24 hours but more than 10 hours and lodging is not required, the employee may receive a per diem allowance. This applies regardless of the time travel begins or ends. A per diem allowance may not be paid if the temporary duty station is 50 miles or less from the official permanent duty station or from the employee's residence from which he commutes daily to his permanent duty station. The traveler must incur expenses over and above those he/she would have incurred at the official duty station and these additional expenses must be specified on the voucher. The approving official, by signing the travel voucher, indicates his/her concurrence that the traveler did incur additional expenses. This concurrence is sufficient for voucher audit purposes.

s. Charter Transportation Services. Charter transportation services obtained from an air or bus commercial carrier shall be procured by means of a Government Transportation Request (GTR) and be billed on a Public Voucher for Transportation of Passengers (SF-1171). If the charter service refuses to accept a GTR, a purchase order may be used. The terms of the charter must be reduced to writing and signed by the Government representative and the carrier representative. When possible, the terms should be shown on the reverse side of the GTR.

Charter air services contracted for by OSMRE will only be for aircraft certified by the Department of the Interior's Office of Aircraft Services (OAS). Contract aircraft must be flown only by pilots certified as qualified by OAS. For further information on these requirements consult the Department Manual, Parts 350 through 353, Aviation Management.

Two general categories are recognized for the use of aircraft chartered from a commercial source, or another Government agency, for official business:

(1) Employee Official Travel. The cost of the charter is attributed to official travel when the purpose of the flight is to transport people from point to point and the aircraft does not depart from and return to the same point on the same day. All use of charter aircraft, whether obtained from a commercial or Government source, for official travel is subject to the prior approval of the Deputy Director, Administration and Finance. Such use of the charter aircraft will only be allowed when one or more of the following criteria apply:

- Charter service is the only air service available to the destination point and its use results in a cost saving to the Government when compared to ground travel.

- Scheduled airline service is available but so poorly timed in relation to travel requirements that a net cost saving would result from the use of charter aircraft.

- Emergency travel requirements to meet a deadline or commitment which could not be met by using a scheduled carrier.

- Use of charter aircraft is essential to the accomplishment of the travel's objective. An example is the need to make overflights of mining areas for programmatic purposes while in travel status.

(2) Other Than Employee Official Travel. Charter aircraft use for normal official business, e.g. inspection overflights, taking place within a single work day, is not considered official travel and hence does not require special approval. Use of charter aircraft for other than employee official travel does not require prior approval of the Deputy Director, Administration and Finance.

t. Use of Government Vehicles. Government vehicles include those owned by OSMRE, obtained from a GSA motor pool or leased by the Government from a commercial source.

The only purpose for which a Government vehicle may be used is the accomplishment of official business. While an employee is in authorized travel status, official business may include transportation from the worksite to lodging and to obtain meals and other essentials such as laundry services.

Government vehicles may only be parked at an employee's residence when a cost savings to the Government can be demonstrated and such use is specifically authorized in writing by the official authorizing the employee's travel. The most common circumstance for overnight parking at an employee's residence is where the employee will be traveling in official capacity to a work site which is closer to the employee's residence than to his/her office and it is not necessary for the employee to first report to the office.

Specifically prohibited is the use of a Government vehicle simply to provide transportation between the employee's domicile and permanent duty station unless such use is essential to the protection of life and property or is approved in advance by the Department of the Interior Assistant Secretary - Policy, Budget and Administration.

The minimum mandatory penalty for using or authorizing the use of a Government vehicle for other than official purposes is suspension from duty without compensation for thirty days. More specific information concerning the use of Government vehicles can be found in the Departmental Manual 205 DM 9.1, Federal Property Management Regulations 41 CFR 101-38.3, and Department of the Interior Regulations 43 CFR 20.735-15 (b).

u. Use of Rented Vehicles. OSMRE employees on short term temporary duty (TDY), assignments are no longer required to use the General Services Administration (GSA) Interagency Motor Pool System (IMPS) as the primary source for motor vehicles. Instead, the first sources for short term TDY travelers are the commercial sources listed in the Federal Travel Directory.

While not required to use the IMPS as the primary source, OSMRE TDY travelers may continue to do so when vehicles are available. The IMPS will maintain current TDY service in those areas where there are no commercial contractors. The IMPS will continue to be the source of supply for long term (more than 30 days) TDY vehicle needs.

The cost of vehicles rented from commercial sources while in travel status will not be charged directly to OSMRE. The traveler must pay for the rental and obtain reimbursement of the cost later through a travel voucher. Travel advances may include the estimated cost of rental vehicle when such use is authorized. The rental receipt must accompany the travel voucher when submitted. The use of rental vehicles must be specifically included in the travel authorization.

Commercial rental agencies usually require that the Government traveler show his/her authorization before allowing the GSA contract rate or foregoing the tax charges. GSA motor pools require that the Government traveler furnish GSA Billed Office Address Code (BOAC) credit card or be able to furnish the BOAC number. The BOAC number should be available from the administrative services organization for each office.

The cost of collision damage waiver, collision damage or personal accident insurance is not reimbursable for travel within the United States, including Alaska, Hawaii, Puerto Rico or U.S. territories and possessions.

Employees may be reimbursed for the cost of damage to rented vehicles up to the deductible amount contained in the rental contract if the damage occurs while the vehicle is being used for official business. Such costs may be claimed on the employee's travel voucher, with proof of payment and written explanation of the circumstances which caused the damage. Claims may alternatively be made on Form SF-1164 (Claim For Reimbursement For Expenditures On Official Business) when the cost is incurred in a local transportation situation where a travel voucher would not be filed.

When a rental company is willing to file its claim directly with OSMRE, instead of charging the employee, this is done by means of a tort claim.

v. Use of Privately Owned Vehicles. The use of privately owned vehicles (POV) may be authorized for official purposes when it has been determined that common carrier transportation or Government-furnished conveyances are unavailable or their use interferes with the performance of official business. This determination is to be made by the official authorizing the travel and reflected as a specific approval of privately owned vehicle use in the travel authorization. Current reimbursement rates for the use of POV are available in the Federal Travel Regulations.

w. Employee Piloting of Privately Owned Aircraft on Official Business. An Incidental Pilot is any Government employee who acts as pilot-in-command of an aircraft while on official Government business and whose position description does not include specific pilot's duties. This circumstance arises when an employee with a pilot's license proposes to fly his/her own plane or one leased or rented by the Government to accomplish official business, transportation of self and others, surveillance flights, transportation of equipment and materials, etc.

Any Incidental Pilot performing duties as pilot-in-command on any Department mission must meet the minimum flying time and rating qualifications established by the DOI Office of Aircraft Services (OAS). Incidental Pilots must obtain a DOI Pilot Qualification Card prior to piloting any flights on official business. The card will be requested by means of a memorandum, setting forth the requestor's qualifications, forwarded to the Director, Office of Aircraft Services through the Director, Office of Surface Mining. All holders of DOI Pilot Qualification Cards will be flight checked annually by a designated OAS check pilot or FAA-GADO examiner, or semi-annually in the case of instrument rating. An incidental pilot must have a "Letter of Authorization" from the Director, OSMRE, which must be renewed annually.

More detailed information on these requirements can be found in the Departmental Manual 350 DM 4, "Policy on Incidental/Dual Function Pilots".

x. Use of Travel Agencies. The use of travel agencies for obtaining domestic passenger transportation services for official Government travel is generally prohibited. The only exception is the use of travel agencies which have contracted with GSA to provide domestic travel services for Government agencies at certain locations.

Travel agencies other than those under GSA contract may be utilized only when the travel is:

- Within foreign countries (except Canada or Mexico)
- Between foreign countries.
- From foreign countries to the United States and its possessions under certain conditions.

y. Reimbursement for Transportation at the Permanent Duty Station. The cost of transportation at the permanent duty station location furnished by privately owned vehicle, rental vehicle, taxi or public transportation may be reimbursed, when such transportation is authorized by the supervisor, subject to the guidelines set forth below:

(1) POV Mileage. Round trip mileage between the residence and the common carrier terminal will be allowed in connection with official travel, at the rate established in the PTR. When the POV is not parked at the common carrier terminal, round trip mileage will be allowed for the trip from the residence to terminal and for the trip from terminal back to residence. This mileage will be included for reimbursement on the travel voucher submitted for the associated official travel away from the permanent duty station.

Round trip mileage between the residence and the permanent duty station will be allowed on the day of travel for employees driving a POV to the permanent duty station to pick up a Government vehicle with which travel is accomplished away from the permanent duty station.

POV mileage will be paid for travel to a temporary duty station at the permanent duty station location, when use of POV for this purpose is authorized by the supervisor. Since it is the employee's responsibility to furnish and bear the expense of transportation between his or her residence and the permanent duty station, the mileage allowance will be limited to one of the options below:

- When the employee is required to report to his/her permanent duty station, prior to traveling to the temporary duty station, mileage will be paid from the permanent duty station to the temporary duty station.

- When the employee is authorized to travel directly from his/her residence to the temporary duty station, mileage will be paid for the distance between residence and temporary duty station which exceeds the distance between residence and permanent duty station. When the distance between residence and temporary duty station is less than or equal to the distance between residence and permanent duty station, no mileage will be paid.

Since this transportation does not entail travel away from the permanent duty station location, reimbursement for these costs will be obtained by submittal of a "Claim for Reimbursement for Expenditures on Official Business" (SF-1164).

(2) Parking. Parking fees will be allowed for a POV at the permanent duty station location in the following circumstances:

- At a temporary duty station when use of POV has been authorized by the supervisors.

- When the employee leaves his POV at the permanent duty station location, picks up a Government owned vehicle and enters on official travel away from the permanent duty station.

- When the employee leaves his POV at a common carrier terminal and enters on official travel away from the permanent duty station.

Travelers will also be reimbursed for parking fees for Government owned vehicles and rental cars used on official business.

(3) POV Cost Reimbursement Limitation. In authorizing use of a POV for transportation at the permanent duty station, and in determining the amount to be reimbursed, the cost of alternative transportation methods; bus, taxi, Government owned vehicle; should be considered. The determining factor should be achieving the minimum cost to the Government. When determining the amount of these costs to be reimbursed they should be limited to the lowest cost of the feasible alternatives. For example, an employee may choose to drive his/her POV to the airport and leave it in a parking facility until return from official travel. If the cost of this arrangement exceeds the cost of taxis between residence and the terminal then reimbursement should be limited to what it would have been if he/she had utilized this more economical method. Circumstances other than employee preference may have dictated the use of the higher priced alternative and if this is the case it should be so noted on the travel voucher to avoid a reduction.

e. Discount Fares and Contract Airlines. Two sources of reduced air fares are available to Government travelers:

(1) Discount Fares. Reduced rates are available for certain travelers, times, dates, routes, and airline companies. Discounts may be in the form of reduced ticket cost, cash rebates, coupons redeemable against future travel or other schemes for refunding value to the traveler. The Government traveler is responsible for obtaining fares at minimum cost considering all such rebates and for obtaining these coupons, gifts, and cash bonuses, when offered, and for surrendering them to the designated administrative official who will ensure that the benefit is realized by the Government.

Employees purchasing discount tickets, where there is a considerable potential saving to the Government, will not be liable for the cost of a nonrefundable fare if the travel had been authorized and if the trip cancellation resulted from circumstances beyond the control of the traveler.

(2) Contract Airlines. The General Services Administration has contracted with various airlines to provide discount air transportation for Government employees when they are traveling between specified city pairs. OSMRE employees are required to seek out and utilize these contract airline services unless one or more of the below listed conditions exist.

- Space on any scheduled flight of the contract carrier is unavailable in sufficient time to accomplish the purpose of the travel.

- On the basis of a total cost comparison for the trip the use of another airline is less costly to the Government. Total costs should include items such as cost of travel from residence to airport, flight time (value of lost productive time), total per diem for the trip, airline fare, cost of travel from airport to hotel, etc.

- The scheduled flight of the contract carrier is not compatible with DOI's policies and practices regarding travel during scheduled work hours. (See Departmental Manual 370 DM 610 for DOI policy regarding travel outside of the hours of 7:00 a.m. to 7:00 p.m.)

aa. Traveler's Responsibility for Transportation Tickets and Government Travel Requests (GTR's).

(1) Unused tickets and GTR's - Travelers are considered to have unused tickets when:

- Travel was not performed after the ticket was obtained.
- Travel was terminated short of the destination to which the transportation request was drawn or for which cash payment was made and the ticket issued.
- Services actually furnished were of less value or different character from those originally paid for or specified on the transportation request.
- The return portion of a round-trip ticket was not used.

Travelers are accountable for all transportation tickets, Government Transportation Requests (GTR's) or other transportation procurement documents received by them in connection with their official travel.

If trips are canceled or itineraries changed after tickets (or GTR's) are issued to the traveler, the traveler is liable for the value of the tickets issued until all ticket coupons have been used for official travel purposes or all unused tickets or coupons are properly accounted for on the travel voucher.

All unused tickets or partially unused tickets not returned to the carrier or travel agency for credit or exchange must be forwarded by the traveler to the office which processes his/her travel vouchers for payment.

When a carrier or travel agency is required to make a refund for a returned or exchanged ticket, the traveler should furnish the "bill charges to" address. For OSMRE, this address is:

Office of Surface Mining Reclamation and Enforcement
P.O. Box 25065
Denver Federal Center
Denver, CO 80225

Unused tickets purchased with a Government employee's Diners Club charge card must be returned by the traveler to the carrier or travel agency that issued the ticket. The issuing carrier or travel agency will provide the traveler with a receipt and accomplish the credit with Diners Club.

(2) Lost or Stolen Common Carrier Ticket. Upon discovery of a missing common carrier ticket the traveler must immediately notify the nearest ticket office(s) of those carriers with which transportation has been scheduled on the lost ticket. Should this notification to the carrier be within the time limits prescribed by the carrier, the traveler and OSMRE may be relieved of monetary liability for the cost of the lost tickets.

Although the initial notification may be by telephone, the traveler will be required by the carrier to fill out certain forms should the ticket not be recovered prior to purchasing a replacement ticket. The traveler will be required to purchase, either with GTR or personal funds, a replacement ticket for continuing the scheduled travel.

The traveler must submit written notice of the ticket loss with pertinent details (who, when, where, how, etc.) with his travel voucher. Failure of travelers to take timely action may subject them to liability for resulting monetary losses.

When there is an additional charge for reissuance of a lost ticket it will be paid by the Government unless the loss of the ticket is due to the gross negligence of the traveler to provide adequate security for the ticket in his/her possession. In cases of gross negligence, the traveler may be required to pay for the cost of ticket reissuance.

(3) Lost or Stolen GTR. When a GTR in the possession of a traveler or other accountable person is lost or stolen, a telephone notification should be made at once, followed immediately by written notification of such loss or theft, including a complete statement of the attendant circumstances, to the issuing administrative office and the Division of Financial Management.

If the GTR was filled out to the extent of showing the carrier and services desired from a designated point of origin, the person accountable for such request shall promptly furnish to the carrier as well as other local initial carriers, specific information on the lost or stolen document, and request that it not be honored. Such advice should be confirmed in writing and a copy promptly transmitted to the issuing administrative office and the Division of Financial Management. Under no circumstance shall GTR's that have been reported lost or stolen be used subsequently to obtain transportation or accommodations if such documents are found or recovered. When found these documents are to be marked "CANCELLED" and forwarded to the Division of Financial Management.

ab. Preparation, Audit and Payment of Travel Vouchers.

(1) Requirement for Use of Authorized Travel Voucher Form. The FTR requires that all claims for reimbursement of costs incurred in travel away from the permanent duty station be submitted only on the authorized travel voucher form (SF-1012). Reimbursement claims for local transportation costs at the permanent duty station should be claimed on the "Claim for Reimbursement for Expenditures on Official Business" form (SF-1164).

Reimbursement for local travel costs (and other local expenditure claims) may be included on a travel voucher with reimbursement claimed for travel away from the permanent duty station. In this case, the local reimbursement items shall be listed separately from the travel claim items.

(2) Voucher Copy of the Travel Authorization. A copy of the travel authorization must be available to the voucher auditor at the time the travel voucher is audited to verify that the costs claimed were duly authorized. This is accomplished, in the case of trip travel authorizations, by submitting the voucher copy of the authorization with the travel voucher. For travel approved under an area travel authorization, the voucher copy of the authorization must be submitted with the first travel voucher filed. Subsequent area travel vouchers must be accompanied by a machine copy of the travel authorization.

(3) Approval of Travel Vouchers. Vouchers for reimbursement of expenses for travel performed under a travel authorization must be administratively approved by the official who signed the initial travel authorization, or an official authorized to act in his/her behalf. The administrative approval is not intended to confirm the eligibility of the expense items claimed by the traveler but only to confirm the official necessity for the travel, the fact that the travel did occur and that the items claimed for reimbursement are within the scope of those intended to be authorized.

When cost items proper for payment under the Federal Travel Regulations are included on an approved travel voucher, they will be paid even though not specifically included in the travel authorization. Approval of the travel voucher will constitute post-approval of all allowable items not specifically cited in the travel authorization.

Since the authority to approve travel vouchers has been delegated to organizational positions, not to officials by name, it is required that the title of the signing official be provided in block 14 of the travel voucher form (SF-1012). When a person approves a travel voucher while acting in behalf of the authorized official he/she must provide the title of the authorized official preceded by "Acting".

(4) Required Certification. When a ticket is purchased with the traveler's personal funds (cash, check, private credit and or Diners Club Government charge card) the traveler must assign his/her rights to the United States in connection with the purchase. This is accomplished by initialing block 13 of the travel voucher form.

(5) Mailing Address for Reimbursement Checks. It is important that the traveler provide the complete mailing address on the travel voucher, including the zip code, even when the traveler intends to have the check sent to his office. The address must be provided on each voucher submitted.

(6) Receipts, Ticket Stubs and Memorandum Copies of GTR's. The Federal Travel Regulations require that receipts be submitted with the travel voucher for the following items:

- Expenditures in excess of $25.00:

  Meals (for actual subsistence expense vouchers only)
  Taxis
  Parking
  Cost of traveler's checks, money orders, or certified checks purchased in connection with official travel.

- Expenditures for any amount:

  Lodging
  Excess Baggage
  Baggage transfer and checking charges.
  Clerical assistance, stenographic or typing sources.
  Rental of typewriters, portable computers, recording equipment, etc.
  Service of guides, interpretation, parkers, vehicle drivers.
  Storage of property.
  Operating expenses of POV (gasoline, oil, garage rental).
  Rental of rooms for official business.
  Shipments, freight or express.
  Telegrams, cablegrams, radiograms.
  Long distance telephone messages, except where coin box telephone is used and so stated in travel voucher.
  Copies of records furnished by State officials.
  Cash payments for passenger transportation services.

Receipts should be originals (not copies) but need not be signed by the vendor's representative. The traveler certifies the validity of receipts by signing the travel voucher with which they are submitted. It is not the responsibility of the voucher examiner to determine whether or not receipts are genuine, only to ensure that they contain the necessary information. The traveler's copy of the common carrier tickets must be submitted with the travel voucher.

If the common carrier ticket was purchased with an individual GTR, the buff copy of the GTR must be submitted with the travel voucher. If the ticket was purchased from a travel agency under contract with GSA, and a GTR was issued for a group of tickets purchased during a period of time, the GTR buff copy will not be submitted with the travel voucher, but the face of the voucher must cite the GTR number applicable to the ticket purchase.

(7) Voucher Audit. Vouchers shall be audited by the voucher examiner for conformance with the laws, regulations and rules applicable to Government travel. Any expenses not clearly allowed by these guidelines will be disallowed. The voucher examiner is not authorized to waive any of the statutory or regulatory requirements.

Requests for waiver from regulatory requirements must be submitted, as appropriate, to the following officials:

  Deputy Director, Administration and Finance
  Assistant Secretary, Land and Minerals Management
  Comptroller General of the United States

Statutory requirements stated in law may not be waived except by Congressional action.

(8) Payment of Vouchers from Imprest Funds. After a travel voucher has been audited, and certified for payment by an officially designated certifying officer, it may be paid from an imprest fund if the net payment does not exceed $100. Utilization of the imprest fund, rather than paying by Treasury check, not only speeds up payment to the traveler but also reduces the cost of the reimbursement transaction.

4. REPORTING REQUIREMENTS. None.

5. REFERENCES.

Federal Property Management Regulations (FPMR)
41 CFR 101-7 "Federal Travel Regulations."
41 CFR 101-38.3 "Official Use of Government Motor Vehicles."
41 CFR 101-41 "Transportation Documentation and Audit".

Department of the Interior Regulations
43 CFR 20.735-9 "Reimbursement of Travel and Related Expenses."
43 CFR 20.735-15 (b) "Misuse of Government Motor Vehicles or Aircraft."

Department of the Interior Manual
205 DM 15.0 "General Delegations - Travel and Transportation."
209 DM 7.1 "Delegations - Assistant Secretary, Land and Minerals Management."
216 DM 2.1 "Delegations - Office of Surface Mining, General Administrative Delegation."
347 DM "Travel and Transportation of Employees"
350 DM 4 "Policy on Incidental/Dual-Function Pilots"

Civilian Personnel Law Manual - U.S. General Accounting Office.

Title III - Travel
Title IV - Relocation

Office of Surface Mining Directives System

OPM - 5, 3.6. (24) "Delegation of Authority - Travel"
ADS - 7 "Motor Vehicle Management"

6. EFFECT ON OTHER DOCUMENTS. This directive supersedes the following directives:

TRV-1 "Travel Policies and Procedures," 8/13/82 and Amendments to TRV-1 numbered TRV-1-1 through TRV-1-11.

7. EFFECTIVE DATE. Date of issue.

8. CONTACTS.

Questions concerning relocation travel (PCS): Relocation Coordinator, Staff of Assistant Director, Budget and Administration, FTS 343-4293.

Questions concerning general travel policies and procedures: Chief, Division of Financial Management, FTS 776-0331.

DEPARTMENT OF THE INTERIOR

_____
(BUREAU/OFFICE)

EMPLOYEE ACKNOWLEDGEMENT

I certify that I have received, read, and understand the memorandum (with attachments), Subject: Employee Rights and Obligations Related to Use of Contractor-Issued Charge Cards, and that I will abide by such rules, regulations, and other instructions as may be issued by the General Services Administration, Department of the Interior, and Diners Club, Inc., pertaining to the use of any card issued to me for purposes of conducting official Government travel.

_____
Employee Signature and Date

_____

_____
Name and Title (Type or Print)

NOTE: This acknowledgement must accompany the completed application for a charge card.

APPROVAL OF TRAVEL AUTHORIZING OFFICIAL

The above named OSMRE employee meets the "Frequent Traveler" criteria and is approved for issuance of a Government charge card.

_____
Travel authorizing official signature

_____

_____
Name and Title (Type or Print)

DEBT COLLECTION GENERAL NOTICE

Authority for Debt Collection:

Federal Claims Collection Act of 1966, 80 Stat 309

Debt Collection Act of 1982, 96 Stat 971

General Accounting Office Regulations:
Federal Claims Collection Standards, 4 CFR 101-105
Standard for Waiver, 4 CFR 91

Department of the Interior Manual:
Collection of Debts, 344 DM
Debt Collection, 370 DM 550
Cash Management, 338 DM 1

Office of Personnel Management Regulations:
Pay Administration (General), 5 CFR 550
Retirement, 5 CFR 831

Notification Requirements. The requirements for notifying a Federal employee of indebtedness to the United States are to be found in the GAO regulations at 4 CFR 102.2 and the Department of the Interior Personnel Manual at 370 DM 550, 10.7. These requirements include notifying the employee of:

- The exact basis of the debt.
- The applicable standards for assessing interest, penalties and administrative costs.
- The date by which payment is to be made.
- The Government intention to recover the amount owed by administrative offset against current salary.
- The amount, frequency, approximate beginning date and duration of payroll deductions.
- The right to inspect and copy Government records on which the debt determination is based.
- The right to enter into a written agreement for a repayment schedule differing from that of the bureau as long as the terms of the proposed repayment schedule are agreeable to the bureau.
- The right to a hearing on the existence or amount of the debt or the terms of a repayment schedule conducted by an administrative law judge, or by a hearing official not under the control of the head of the Department, if a request for a hearing is filed.
- The method and time period for requesting a hearing.

— That the timely filing of a petition for a hearing will stay the commencement of collection proceedings.

— The name, address and telephone number of a bureau official who may be contacted if the employee wishes to review the records or to obtain information.

Interest, Penalties and Administrative Costs. The Government is required to assess interest, penalties and administrative costs in the collection of delinquent debt repayments:

— Interest. The interest rate to be charged is that established by the Department of the Treasury and in effect at the time the letter of notification is sent. Interest will be charged if the debt is not paid within 30 days of the notification letter date and will be charged as of the date of notification. The interest charge will be computed for a fractional part of the year on the basis of the actual number of days within the period involved. Currently, this interest rate is

— Penalty. The penalty rate is presently established at 6%. This is applied as an annual interest charge. The penalty will be charged for all debts not repaid within 90 days of the notification letter date and the initial assessment will be applied against the balance outstanding on the 31st day following notification date. After the initial penalty charge, the penalty rate will be added to the interest rate to secure a blended rate to be applied against subsequent payments.

— Administrative Cost. Administrative costs, subject to recovery from the debtor, include:

- o Cost of producing demand letters after the initial 30 day notice.
- o Cost of employee time spent on delinquent account processing.
- o Cost of accounting for collection and reproduction costs.

Normally, administrative costs will not be charged employees since subsequent demand letters are not required and collections will be accomplished by automated collection and accounting systems.

Collection by Administrative Offset Against Salary. Federal agencies may collect amounts owed the Government by employees through pay deductions. Salary offsets in the Department of the Interior are limited to no more than 15% of disposable pay. Disposable pay is that part of gross pay remaining after all applicable statutory deductions (State and Federal income tax, Medicare or FICA, IRS or other court ordered garnishments). Deduction from pay will not begin sooner than the pay day occurring at least 45 days after the notification date. Pay deductions are subject to the requirement to collect interest, penalty charges and administrative costs on delinquent debts.

Reviews, Hearings and Waivers:

— Reviews. Requests to inspect and copy the Government records on which the debt determination is based must be submitted in writing within 30 days of the notification letter date. The request will effect a suspension of collection activity until the review is completed. The address for submitting the review request is:

Office of Surface Mining
P. O. Box 25065
Denver Federal Center
Denver, Colorado 80225

— Hearings. An employee may petition for a hearing. The written petition must be filed directly with the Department's Office of Hearings and Appeals within 15 calendar days of receipt of the notification letter. The address for filing the petition is:

Director, Office of Hearings and Appeals
U. S. Department of the Interior
4015 Wilson Boulevard
Arlington, VA 22203

The petition should identify and explain the facts, evidence and witnesses which support the employee's position. A copy of the petition shall be sent by the employee to the contact person named in the notification letter. Collection action will be suspended until a final decision is rendered by the hearing official.

— Waivers. A Federal employee may request a waiver in whole or in part of a claim arising out of an erroneous payment of pay or allowances. Waivers may be approved in an amount aggregating not more than $500 by a designated official within the Office of Surface Mining. Waivers in excess of $500 must be submitted to the Office of the Comptroller General. Waiver requests must be submitted in writing within 30 calendar days of the notification letter to avoid charging of interest on the debt. A written waiver request will serve to suspend collection action until a decision has been rendered.

Payment of interest can only be waived when the debt is entirely paid within 30 days following notification or when a claim is compromised under the provisions in 4 CFR 103 "Standards for the Compromise of Claims". A claim may be compromised if the debtor is unable to pay the full amount within a reasonable time.

[B-210717]

Travel Expenses—Air Travel—Bonuses, Gifts, etc.

The general rule is that a Federal employee is obligated to account for any gift, gratuity or benefit received from private sources incident to the performance of official duty. This rule applies to situations where an employee enters a promotional program sponsored by an airline, and, while traveling on official business, receives a discount as a result of entering that promotional program.

Travel Expenses—Air Travel—Bonuses, Gifts, etc.

A bonus ticket received by an employee as a result of trips paid by both appropriated funds while on official travel and personal funds is the property of the Government and must be turned in to the appropriate official of the Government. If employee wishes to participate in the bonus program and retain the benefits from the program, he should make certain that all trips included in the bonus program are paid from personal funds.

Travel Expenses—Air Travel—Bonuses, Gifts, etc.

An employee who enters a promotional program sponsored by airlines which includes free upgrade of service to first class, membership in clubs, and check-cashing privileges, does not have to turn in such benefits to the Government. The Government is unable to use such benefits, and there is no reason for employee not to use such benefits.

Travel Expenses—Air Travel—Bonuses, Gifts, etc.

A discount for future travel received by employee while on official travel, which is either non-transferable or carries an expiration date, still is property of the Govern-

me and should not be given back to the employee for personal use even if it appears that the Government may have no use for the discount.

Matter of: Discount Coupons and Other Benefits Received in the Course of Official Travel, February 24, 1984:

The Per Diem Travel and Transportation Allowance Committee (PDTATAC) of the Department of Defense has requested our opinion concerning the proper disposition of promotional gifts received by employees while on official travel. PDTATAC Control No. 83-1. We hold that such promotional gifts are the property of the Government and that employees may not retain any gift or gratuity received in the course of official travel.

Factual and Legal Background

The request from the Committee states that airlines have instituted frequent-flyer programs which entitle a traveler, who accumulates points or miles on a particular airline, to bonus travel. The more points or miles the individual accumulates, the greater the bonus. Participation in these programs is not automatic and requires the traveler to submit an application. Some airlines charge a fee to enroll and, in addition to discounts on fares or bonus points, some airlines offer a free upgrade to first class service on certain flights.

The Committee has raised five questions concerning these airline programs. These questions will be answered individually below. However, the basic issue is whether the employee is entitled to keep any of these bonuses earned as a result of Government-paid travel.

The general rule is that a Federal employee is required to account for any gift, gratuity, or benefit received from private sources incident to the performance of official duty, and any payments tendered to the employee are viewed as having been received on behalf of the Government. *John B. Currier*, 59 Comp. Gen. 95 (1979); and B-148879, July 20 and August 28, 1970. Therefore, we have held that an employee may not retain any bonus or gift coupon or similar item of value received from a commercial air carrier on the basis of a purchase of an airline ticket to be used for official travel. B-199656, July 15, 1981. The rationale behind this rule is to prevent double reimbursement to the employee from the Government and a private source and to avoid a conflict of interest.

We note that the General Services Administration (GSA) has recently promulgated regulations in the area. See Federal Property Management Regulation (FPMR) § 101-25.103, 41 C.F.R. § 101-25, as amended, 48 Fed. Reg. 48,231, October 18, 1983. These regulations state that all promotional materials such as bonus flights, reduced fare coupons, cash, merchandise, gifts, credits toward future free or reduced costs of services or goods, received by an employee

in connection with official travel and based on the purchase of ticket, are properly considered to be due the Government and may not be retained by the employee. These regulations provide that promotional materials that provide for future free or reduced costs of travel should be integrated into the agency travel plans to maximize the benefits to the Government. Promotional materials that cannot be used by the agency shall be disposed of in accordance with 41 C.F.R. § 101-25.103-4.

Also, we note that the Office of Government Ethics by memorandum of November 16, 1983, to Designated Agency Ethics Officials, requested that employees be warned against making personal use of any travel promotional benefits received in connection with official travel.

Finally, we note that since participation in these programs is voluntary, an employee who wants to receive benefits for private use should make certain that the only trips credited to his bonus account are those paid from personal funds.

Specific Questions

Question 1. Since travel is arranged by the Government based on cost effectiveness, rather than on membership in one of these programs, traffic managers are unaware when a uniformed member or civilian employee has received a travel bonus. Should the burden be placed on the member or employee to turn in the bonus to the Government when participation on the airline promotion program is voluntary and the Government is without control?

Answer 1. The answer to the question is that it is the traveler's responsibility to return to the Government any discounts or benefits received as a result of official travel. See *Currier* and the GSA regulations, cited above. However, if the employee had to spend money to enter a program, as discussed above, the employee may submit a voucher which documents his out-of-pocket expenses spent to enter into the program. The Government should reimburse the employee's out-of-pocket expenses if those expenses are less than the discount received by the employee from the airlines. For example, if the employee spends $25 to enter a program, and, as a result, the Government has received a benefit because his airline fare was reduced from $400 to $300 solely as a result of his entering the program, then the employee should be reimbursed for the cost of entering the program. Of course, the Government should only reimburse the employee up to the amount the employee pays to enter the program and only to the extent that the Government has received a benefit solely due to his entering that program.

Question 2. Most bonus travel requires more than one trip to be eligible. Some of those trips may be paid from personal funds. If a

free ticket is obtained from a combination of appropriated and personal funds, who does the ticket belong to?

Answer 2. Consistent with the regulations, above, our answer to this question is that the ticket (or certificate) is the property of the Government if part of the ticket was obtained through the use of appropriated funds while on official travel. This result prevents a conflict of interest from arising. See, generally, 5 C.F.R. §§ 735.201 *et seq.* The employee has an obligation to turn in the bonus ticket to the Government based on the general rule cited above. If the employee has used the bonus ticket for personal use, he must reimburse the value of the bonus ticket to the Government. See 63 Comp Gen. 233 (B-212236, dated today). Finally, as stated above, if the employee wishes to participate in the bonus program and retain the benefits from the program, he should make certain that all trips included in the bonus program are paid from personal funds.

Question 3. Besides travel bonuses, most programs provide other optional benefits, such as free upgrade to first class, membership in executive clubs, i.e., Delta's Crown Room Club, check-cashing privileges, etc., which have no value to the Government. Should such items be turned over to the Government if the value cannot be redeemed?

Answer 3. We do not believe that items such as free upgrade to first class, membership in executive clubs, and check-cashing privileges could be turned over to the Government. Obviously, such benefits could only be used by the employee and could not be used by the Government. Therefore, we see no reason that these items could or should be turned over to the Government. We also hold that the employee may use such benefits because denying the employee such benefits would serve no purpose.

Question 4. Travel bonuses are transferable in most cases; however, they may carry an expiration date. Although every attempt is made to take advantage of free travel opportunities, should the recipient of the bonus be denied its use if the Government is unable to use it within a reasonable time?

Answer 4. Even if the Government is unable to take advantage of free travel opportunities after every reasonable attempt, the bonus should not be returned to the employee. The reason for this is that the travel bonus never legally belonged to the employee. If a free flight for personal use was given to an employee by an agency, this would be tantamount to an illegal supplement of the employee's salary. In the case where the bonus is transferable, the employee who received the bonus as a result of official travel has no more legal right to this bonus than any other employee of the agency.

Question 5. Some items are non-transferable. One uniformed member was given a flight coupon worth $200 as involuntary-denied boarding compensation. Under Comptroller General decision 59 Comp. Gen. 95 (1979), the coupon was turned over to the

Government; however, unless this particular traveler is given further travel orders, it will go unused. Should non-transferable travel bonuses be denied to the recipient if the Government is unable to use them?

Answer 5. If the items are not transferable such as the coupon here, then if it is necessary to send that employee on official travel the coupon would be available for such a purpose. If the coupon is returned to the employee for personal use and then the agency decides to send the employee on official travel the discount coupon will not be available. Therefore, the Government should retain the coupon even if it is unable to use it at this time.

This concludes the questions raised by the Committee. However, we note one situation which has also arisen lately, that is, the receipt of gifts of nominal value as a result of official travel. We note that the Government Ethics Regulation allows employees to keep promotional material, such as pens, pencils, note pads, calendars, and other items of nominal intrinsic value. See 5 C.F.R. § 735.202(b)(4) (1983). We see no reason why employees on official travel who receive such gifts should return them to the Government. Accordingly, employees may keep gifts which are of nominal intrinsic value.

[B-212236]

Travel Expenses—Air Travel—Bonuses, Gifts, etc.

An employee received and used a bonus ticket and a free hotel room for personal travel as a result of trips paid by both personal funds and Government funds. Such promotional gifts which were received because of travel paid by Government funds belong to the Government. The employee must pay the full value of the tickets and benefits received to the Government. Since this employee used these gifts prior to the issuance of guidance on the use of such materials, he may reduce his liability for repayment based on the percentage of travel paid by personal funds. Any future use of promotional gifts will result in liability for the full value of the bonus or gift. See 63 Comp. Gen 229 (B-210717, dated today).

Matter of: John D. McLaurin—Promotional Gifts Received as a Result of Official Travel, February 24, 1984:

Mr. Richard Mulberry, Inspector General, Department of the Interior, has requested a decision concerning a travel bonus consisting of two free first-class round-trip tickets and four free nights at a hotel received by an Interior employee, Mr. John D. McLaurin. The travel bonus was awarded by United Airlines under their Mileage Plus program and the mileage accumulated by Mr. McLaurin was primarily as a result of official travel. The first issue presented is whether Mr. McLaurin should reimburse the Government for the value of the bonus awards. The second issue is, assuming the Government is to be reimbursed, should the reimbursement be limited to reflect the percentage of private travel versus official travel used to obtain the award. We hold that Mr. McLaurin must reim

burse the Government for the bonus awards based on the percentage of official travel used to obtain the award.

Mr. McLaurin registered in the United Airlines Mileage Plus program in October 1981. By February 1983, Mr. McLaurin had traveled over 75,000 miles, and under the program, he was entitled to two free first-class round-trip tickets, four free nights at a Westin hotel, and a 50 percent discount on an Avis rental car for the weekend. Mr. McLaurin used the free trip and free hotel for his own personal benefit. The record shows that Mr. McLaurin accumulated the mileage by both official (Government-paid) and private travel, but the record does not show the number of miles of each type of travel. However, it appears that the majority of the miles were accumulated on official travel.

LEGAL ANALYSIS

The general rule is that a Federal employee is required to account for any gift, gratuity, or benefit received from private sources incident to the performance of official duty and any payments tendered to the employee are viewed as having been received on behalf of the Government. *John B. Currier*, B-195946, 59 Comp. Gen. 95 (1979); B-140879, July 20 and August 28, 1970. Therefore, we have held that an employee may not retain any bonus or gift coupon or similar item of value received from a commercial air carrier on the basis of a purchase of an airline ticket to be used for official travel. B-199656, July 15, 1981.

The bonus ticket and free hotel received by Mr. McLaurin clearly fall within the purview of these decisions. The only distinction is that a small portion of the bonus ticket was earned by private travel. We do not believe the fact that a portion of the bonus ticket was earned by private travel changes the result that the portion of the ticket earned as a result of the official ticket belongs to the Government. See 63 Comp. Gen. 229 (B-210717, dated today). Therefore, in applying the decisions cited above, we conclude that the portion of the bonus ticket or gift earned as a result of official travel is viewed as having been received on behalf of the Government. Accordingly, since Mr. McLaurin used the bonus ticket and gift for private use, when it was primarily the property of the Government, Mr. McLaurin must reimburse to the Government the value of the bonus ticket and gifts which were property of the Government.

We also note that at the time of Mr. McLaurin's travel under United's Mileage Plus program, a frequent flyer could use the bonus tickets to the place of his choice and the bonus tickets were transferable. Therefore, under that program it is clear that the Government could have sent Mr. McLaurin or some other Government employee on a free flight and at a free hotel while on official travel. However, even if airline programs limit the transferability

of the bonus flight or restrict bonus flights to specific cities, any bonus earned as a result of official travel belongs to the Government and must be turned in to the appropriate agency official. See our decision of today, 63 Comp. Gen. 229, *supra*, and 41 C.F.R. Part 101-25 as amended, 48 Fed. Reg. 48213, October 18, 1983.

In accordance with the discussion above, the Department of the Interior should collect the full value of the bonus tickets plus the value of the hotel room from Mr. McLaurin. Mr. McLaurin may have this amount reduced by a percentage equal to the percentage of private travel used to obtain the award. However, the burden of proof is on Mr. McLaurin to produce the necessary evidence to show that the travel was paid from personal funds. See generally 4 C.F.R. § 31.7 (1983). If Mr. McLaurin can produce the necessary evidence, then the amount of his liability may be reduced by the appropriate percentage.

We are allowing Mr. McLaurin to reduce his liability because he used these bonus tickets prior to the issuance of the GSA regulations and our decision of today, 63 Comp. Gen. 229, which declare that these bonuses are the property of the Government. After the date of this decision, we hold that any future use of promotional material will result in the employee being liable to the Government for the full value of the bonuses or promotional gifts used.

United States Department of the Interior

OFFICE OF SURFACE MINING
Reclamation and Enforcement
WASHINGTON, D.C. 20240

Memorandum

To: Deputy Director, Administration and Finance

From:

Subject: Request for Special Rate Applicable to Actual Expense Travel Reimbursement

1. LOCATION: _____

2. ESTABLISHED FTR RATE

   a. Meals and Incidental Expenses (M&IE) = _____

   b. Lodging = _____

   c. Total Per Diem Rate = _____

3. LODGING COST SURVEY

   a. Lodging Name: _____

      Address: _____

      Telephone: _____

      Single Room Rate: _____

   b. Lodging Name: _____

      Address: _____

      Telephone: _____

      Single Room Rate: _____

   c. Lodging Name: _____

      Address: _____

      Telephone: _____

      Single Room Rate: _____

(Over)

d. Average Lodging Rate: _____

e. Proposed Special Rate for Actual Expense Travel Reimbursement:

FTR M&IE Rate (2a) + Average Lodging Rate (3d) = _____

4. REASON FOR HIGH LODGING COST: _____

_____

5. PROPOSED SPECIAL RATE PERIOD: _____

Approval _____

United States Department of the Interior

OFFICE OF SURFACE MINING
Reclamation and Enforcement
WASHINGTON, D.C. 20240

In Reply
Refer To:

Memorandum

To: The Secretary

Through: Assistant Secretary, Land and Minerals Management
Director, Office of Surface Mining Reclamation and Enforcement

From: Employee's Name, Grade, and Position or Title

Subject: Request for Approval of Air Accommodations Exceeding Tourist Class

(Body of Memorandum)

Concur: _____ Date
Assistant Secretary,
Land and Minerals Management

Concur: _____ Date
Director, Office of Surface Mining
Reclamation and Enforcement

Approved: _____ Date
The Secretary of the Interior

After The Secretary of the Interior action, please return this request to:

Director, Office of Surface Mining
South Interior Building
1951 Constitution Avenue, N.W.
Washington, D.C. 20240

United States Department of the Interior

OFFICE OF SURFACE MINING
Reclamation and Enforcement
WASHINGTON, D.C. 20240

In Reply
Refer To:

Memorandum

To: Deputy Director, Administration and Finance

From: Employee's Name, Grade, and Position or Title

Subject: Approval of Use of Cash to Purchase Transportation Costing $100.00 or More

Body of letter explaining emergency circumstances justifying use of cash instead of a GTR to purchase transportation costing $100 or more.

Approved:

Deputy Director,
Administartion and Finance

Date

COST COMPARISON

The following example presents an employee living in Reston, Virginia, traveling to Denver, Colorado.

		CONTRACT AIRLINE	NON-CONTRACT AIRLINE
Residence to airport taxi		$ 30.00	$ 5.00
Travel time to airport	(1½ hr.)	28.37* (½ hr.)	9.46*
Flight time	(6 3/4 hr.)	127.64* (4 hrs.)	75.64*
Airport to hotel taxi		5.00	5.00
Per diem complete trip		150.00**	100.00**
Hotel to airport taxi		5.00	5.00
Flight time	(6 3/4 hr.)	127.64* (3 hrs.)	56.73
Travel time to residence	(1½ hr.)	28.37* (½ hr.)	9.46
Airport to residence taxi		30.00	5.00
Airline fare - round trip		256.00	414.00
TOTAL COST		$788.02	$685.29

* Value of lost productive time GS-14/5.

**Increase per diem required for one additional day of duty.

TRAVEL PURPOSE CODES

TRAVEL CODE	TRAVEL PURPOSE
CC	CONFERENCE: Attendance at a convention, conference, or seminar for the purpose of observation or education, with no formal participation in the proceedings
EN	ENTITLEMENT: Travel to which an employee or dependent is entitled as a result of assignment (For example: Home leave, educational travel, emergency leave, or medical leave)
IM	INFORMATION MEETING: Attendance at a meeting to discuss general agency operations, policies, or topics of general interest
OT	OTHER: Any reasons not covered in the other travel types
RE	RELOCATION: Permanent change of station at Government expense
SM	SPECIAL MISSION: To carry out a special agency mission (for example: To transport witnesses, or to provide security for a person or shipment), or any travel by federal beneficiaries
SP	SPEECH OR PRESENTATION: To make a speech, presentation, or to deliver a paper
SV	SITE VISIT: Visit to a particular site for operational or managerial purposes (For example: Audit, repair, negotiations, or technical assistance)
TR	TRAINING: Travel to attend a training class
UO	UNLIMITED OPEN (General authorization)
LO	LIMITED OPEN (Area authorization)

Standard Form 1166
September 1973
4 Treasury FRM 2000
1166-104

PUBLIC VOUCHER FOR FEES AND MILEAGE OF WITNESSES

Voucher No. .....

Schedule No. .....

Case No. .....

PAID BY

U.S. .....
(Department, Bureau, or Establishment)

The UNITED STATES, Dr.

To payees whose claims are attached hereto, for travel made, services rendered, and/or per diem in lieu of subsistence as witnesses for the United States before the

.....
(Name of court or board)

at .....
(Location)

during the period from ..... to ..... 19.....

in the case of .....

SUMMARY OF PAYMENTS

To ..... payee(s) listed on ..... sheet(s): Total amount of voucher, $.....

I certify that this voucher, consisting of ..... sheet(s), is correct and proper for payment in the amount of $.....

.....
(Authorized certifying officer)

.....
(Date)

.....
(Title)

ACCOUNTING CLASSIFICATION

Paid by check(s) or by cash, as noted on the attached sheets.

United States Department of the Interior
OFFICE OF SURFACE MINING
Reclamation and Enforcement
WASHINGTON, D.C. 20240

SEP 30 1987

Memorandum

To: Director
Deputy Directors
Assistant Directors
Field Office Directors
Office Heads

From: Chief, Division of Management Services

Subject: Directive - TRV-1

Reference Office of Surface Mining Reclamation and Enforcement Directive TRV-1, dated August 25, 1987.

This Table of Contents should have been attached to OSMRE Directive TRV-1.

Attachment

TRV-1 TEMPORARY DUTY TRAVEL POLICIES AND PROCEDURES

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