

# **Guide to Judiciary Policy**

Vol. 19: Travel and Relocation

## **Ch. 4: Judiciary Staff Travel Regulations**

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## **§ 410 Overview**

### **§ 410.10 Authority**

These regulations are published by the Director of the Administrative Office of the U.S. Courts (AO) under 28 U.S.C. § 604(a)(7) and 5 U.S.C. § 5707(a)(1).

### **§ 410.20 Applicability**

- (a) These regulations apply to all individuals traveling on behalf of the judiciary, including the following:
  - (1) All judiciary personnel, except justices and judges who are covered by Guide, Vol. 19, Ch. 2 (Travel Regulations for Justices and Judges).
  - (2) Jurors.
  - (3) Appointed panel attorneys and related service providers under the Criminal Justice Act (CJA), 18 U.S.C. § 3006A(a).
  - (4) Contractors, including contract court reporters and court interpreters, to the extent the terms and conditions of their contracts provide for travel payments consistent with these regulations.
  - (5) Invitational travelers, including:
    - Select nominees and applicants for judiciary positions;
    - Personal attendants accompanying justices, judges, or judiciary employees with disabilities; and
    - Consultants or experts employed intermittently and individuals serving consistent with 5 U.S.C. § 5703.
  - (6) Volunteers.

- (7) Staff of part-time magistrate judges.
- (b) These regulations do not apply to witness travel expenses:
  - (1) awarded to a prevailing party under 28 U.S.C. § 1821, or
  - (2) paid by the U.S. Marshals Service under 28 U.S.C. § 1825.

### **§ 410.30 Definitions and Financial Systems**

- (a) A list of terms, including the following that are used in this chapter, can be found in Guide, Vol. 19, § 125 (Definitions):
  - Authorizing Official
  - Centrally Billed Account (CBA)
  - Certifying Officer
  - City Pair Fare (Government Contract Rate)
  - Common Carrier
  - Constructive Cost
  - Continental United States (CONUS)
  - Continuing Resolution (CR)
  - Court Unit Executive (CUE)
  - Daily M&IE Allowance
  - Employee Blanket Travel Authorization
  - Federal Public Defender (FPD)
  - Government-Furnished Vehicle
  - Government Travel Card Program
  - Immediate Relative
  - Individually Billed Account (IBA)
  - Invitational Traveler
  - Local Commuting Area
  - Local Travel
  - Mileage Rate
  - Miscellaneous Expenses
  - Official Duty Station
  - Outside the Continental United States (OCONUS)
  - Privately Owned Vehicle (POV)
  - Ridesharing Service
  - Temporary Duty (TDY) Location
  - Temporary Duty (TDY) Travel
  - Travel Advances

- (b) A list of financial systems and programs, including the following that are referenced in this chapter, can be found in Guide, Vol. 19, § 128 (Primary Financial Systems and Programs):
- GetThere
  - Judiciary Electronic Travel System (JETS)
  - Judiciary Integrated Financial Management System (JIFMS)

#### **§ 410.40 Prudent Traveler Rule**

- (a) An individual traveling on official business must exercise the same care when incurring expenses that a prudent (e.g., fiscally responsible) person would if traveling at his or her own expense.
- (b) Excess costs, indirect routes, or unnecessary services in the performance of official business are not acceptable under this standard.
- (c) Travelers will be responsible for excess costs and any additional expenses incurred for personal preference or convenience.
- (d) Only mileage and other travel-related expenses for the direct route may be claimed unless there is an official reason for travel by another route.

#### **§ 410.50 Constructive Cost of Travel**

- (a) When a traveler deviates from the most direct route or uses a mode of transportation other than the one most advantageous to the judiciary for personal reasons, the traveler's voucher must include an analysis of the constructive cost (i.e., what costs would reasonably have been incurred using the most direct route and advantageous mode, versus the actual cost of travel).
- (b) The comparison of constructive cost of travel to the cost of alternative travel should consider the following factors:
- (1) The cost of air travel at the applicable YCA City Pair fare (i.e., maximum government contract fare), including a reasonable estimate of associated taxes (**see:** § 440.15.15 (GSA City Pair Airfare (Government Contract Fares))).
    - (A) If government contract fares are not available between the points of travel, then use the lowest coach fare available.
    - (B) If the points of travel are not served by an airline, the constructive cost must be based on the cost of travel by the

mode of transportation available and most commonly used (e.g., train; automobile mileage).

- (2) Additional airport and air travel-related fees (e.g., checked baggage fees, airport facility fees), where applicable.
- (3) Subsistence allowances (i.e., applicable lodging and daily M&IE allowances).
- (4) The usual transportation costs to and from the common carrier terminals, including parking fees.
- (5) Tips to drivers of taxis and other ridesharing (e.g., Uber; Lyft) services.

**Note:** The Constructive Cost Analysis Tool is available on JNet to aid in this analysis.

- (c) The constructive cost of travel establishes an upper limit for reimbursement. Reimbursement is limited to the lesser of the constructive cost of travel or the expenses associated with the employee's alternate travel. The traveler must cover any excess cost with personal funds.

## § 415 Travel Management Center

- (a) The judiciary contracts with one or more Travel Management Centers (TMC), private-sector travel agencies, to furnish judiciary employees — and others authorized to travel at the judiciary's expense — with travel-related services.

**Note:** Each TMC uses an online self-service booking tool (GetThere), offering travelers greater flexibility and reduced transaction fees.

- (b) Judiciary employees are strongly encouraged to secure all common carrier transportation, lodging, and rental vehicles associated with official travel through a TMC. Travelers, however, are required to use a TMC when:
  - Using local authority to reimburse lodging expenses over 150% and up to 200% of the published maximum daily lodging rate for the TDY location (**see:** § 430.20.10(b)(2)), and
  - Securing airfare between commercial airports without a City Pair fare, excluding travel to, from, and between OCONUS locations (**see:** § 440.15.20(b)(1)).

- (c) A TMC will provide guidance, at the time of booking, on applicable maximum reimbursable common carrier transportation fares and lodging rates. A TMC also will offer rental vehicle rates that provide the necessary federal government-negotiated insurance protections.
- (d) If a traveler uses an alternative travel agent or service when a TMC is not required to be used:
  - (1) The traveler will be responsible for:
    - (A) all costs and transaction fees for these services over the highest full-service booking fee charged by the TMCs, and
    - (B) all costs over applicable maximum reimbursable common carrier transportation fares and lodging rates, as provided in these regulations.
  - (2) The traveler may be issued reservations for travel-related services that could result in limited reimbursement because the reservations:
    - (A) are not separately itemized (i.e., bundled) (**see:** § 430.30.10(e) (CONUS and OCONUS Non-Foreign Lodging Taxes) and § 475.10(a) (Documentation of Expenses)); or
    - (B) do not recognize the judiciary's tax-exempt status (**see:** § 430.30.10(d) (CONUS and OCONUS Non-Foreign Lodging Taxes)).
- (e) Judiciary employees may use a TMC to secure solely personal travel-related services.
  - (1) Employees should advise the TMC representative, at the time of booking, that the reservation — or part of the reservation (e.g., combining personal and official travel) — is for personal travel-related services.
  - (2) All fees and charges associated with personal travel arrangements made using a TMC are the employee's financial responsibility.
  - (3) Travelers must pay for personal travel arrangements with personal funds. The use of a government-issued travel card is prohibited.

## § 420 Types of Official Travel

### § 420.10 Relocation

Relocation travel is an employee's pre-authorized move to another official duty station, either as a temporary or permanent change of duty station. It also includes a new appointee's pre-authorized travel to his or her first official duty station. **See:** Guide, Vol. 19, Ch. 5 (Relocation Allowances for Judiciary Staff).

### § 420.20 Commuting and Parking

- (a) The expense of commuting between an employee's residence and his or her official duty station is generally not reimbursable under these regulations. This applies to regular workdays as well as non-workdays.
  - (1) At the discretion of the authorizing official, expenses may be reimbursed for travel:
    - (A) From an employee's residence to the office — or authorized point of departure — on the day the employee departs from the office for an official trip, and
    - (B) From the office — or authorized original point of departure — to the employee's residence on the day the employee returns from an official trip.
  - (2) An authorizing official may authorize the reimbursement of one-way travel (e.g., ridesharing services; taxi) from an employee's official duty station to his or her residence when the employee is detained for official business beyond normal business hours, interfering with the daily commute home (e.g., infrequently scheduled public transportation at time of departure; safety issues at time of day).
- (b) In limited circumstances, **policies outside the regulations in this chapter** may authorize appropriated funds to cover certain commuting and parking-related expenses, including:
  - (1) Commuter and local transit programs (**see:** Guide, Vol. 12, § 735 (Commuter Programs)).
  - (2) Court unit and FPDO-provided employee parking (**see:** Guide, Vol. 16, § 630.60 (Employee Parking)).

### § 420.30 Local Travel

#### § 420.30.10 Local Commuting Area

- (a) The local commuting area is defined as the area within a 30-mile radius of a traveler's official duty station by the most direct route.
- (b) An exception exists for island areas within 30 miles but not connected by road, bridge, public transit system, or compatibly scheduled ferry service. Local authorizing officials in those areas may permit travel allowances, consistent with these regulations, on a case-by-case basis or through local policies.
- (c) The mileage radius must be at least 30 miles. However, CUEs and FPDs may establish a wider (i.e., more restrictive) mileage radius for their local commuting area.

#### **§ 420.30.20 Authorized Expenses within the Local Commuting Area**

- (a) Travelers will be reimbursed transportation expenses consistent with these regulations (e.g., mileage, parking, ridesharing service) to travel to a location within the local commuting area.
- (b) Travelers may not be reimbursed for lodging, daily M&IE allowances, or actual meal expenses when traveling solely within the local commuting area.
- (c) Generally, the judiciary may not provide meals to employees at their official duty station or within the local commuting area, even in extraordinary circumstances (e.g., late conference sessions, heavy volume of work, or adverse weather conditions).
  - (1) Certain exceptions exist in **policies outside the regulations in this chapter** and relate to meetings, retreats, or other official functions. **See:** Guide, Vol. 24, § 430 (Authorized Exceptions). The scenarios described in Guide, Vol. 24, Ch. 4 (Meals and Light Refreshments) are not reimbursable as a travel-related expense under regulations in this chapter.
  - (2) When meals are provided at an official duty station or within the local commuting area under an exception in Guide, Vol. 24, § 430 (Authorized Exceptions), the court unit or FPDO should procure and pay for the meals centrally, rather than reimbursing the employee.
    - (A) BOC 2120 or 2125 may **not** be used for meals provided to judiciary employees at their duty station or within the local commuting area under Guide, Vol. 24, § 430 (Authorized Exceptions).

- (B) Group meals provided to judiciary employees at their duty station or within the local commuting area under Guide, Vol. 24, § 430 (Authorized Exceptions) should be procured with the judiciary organization's purchase card or a purchase order. An individually billed account (IBA) or centrally billed account (CBA) may not be used.

## § 420.40 Temporary Duty Travel (TDY)

TDY travel is pre-authorized official travel to a location outside a traveler's local commuting area. Expenses are reimbursable consistent with these regulations.

## § 425 Authorizing Travel

- (a) All individuals traveling under these regulations must have prior authorization from an appropriate authorizing official.

**Note:** In the rare instances where an employee's prior authorization is not possible or practical (e.g., emergencies), post-trip approval may be obtained based on the circumstances and documented on the travel voucher.

- (b) Travel expenses incurred without prior authorization may limit or prevent reimbursement.

## § 425.10 Travel Authorizations

- (a) There are two categories of judiciary travel authorizations:
  - (1) Specific, Single-Trip Authorizations
    - (A) This trip-by-trip authorization is the most common means for authorizing travel for an individual or a group of individuals traveling under these regulations.
    - (B) Judiciary employees may be issued a specific authorization to travel to an event funded by another judiciary entity, (e.g., Federal Judicial Center (FJC) or AO-funded travel; the adjacent court unit) or a non-judiciary entity. In these instances, an employee:
      - (i) must obtain approval from his or her immediate supervisor (or other locally designated official) before beginning travel; and

- (ii) may not obtain local supplemental funding to offset travel allowances detailed in the sponsoring (i.e., funding) entity's travel authorization.

(2) Employee Blanket Authorizations

- (A) This type of authorization permits multiple trips, under certain specified conditions, by an employee or group of employees without obtaining trip-specific approvals.
  - (B) These authorizations should be limited to those employees or group of employees who are expected, as part of their official duties, to conduct frequent, specific, and repetitive travel within the geographical boundaries of their employing judiciary organization.
    - (i) Blanket authorizations may also cover adjacent districts for supervision and investigation of defendants and offenders.
    - (ii) Judiciary organizations with national or wide areas of jurisdiction must reasonably narrow the travel points of applicable employees to avoid overly broad blanket authorizations.
  - (C) Blanket authorizations are terminated upon the separation of the issuing authorizing official or, in the case of a chief judge, the end of the judge's term as chief.
- (b) Travel authorizations must include enough information to support the authorizing official's determination that the travel is in the best interest of the judiciary, being carried out by the most direct and advantageous manner, and consistent with the nature and purpose of the traveler's duties. This typically includes:
- traveler's name (or identification of a group of travelers);
  - dates of travel (or period covered by a travel authorization);
  - travel destination(s);
  - purpose of travel;
  - any conditions or limitations on travel (e.g., authorization of rental car); and
  - estimated travel costs.
- (c) Travel authorizations must be in writing and may be communicated by email, letter, memo, text message, or other electronic means (e.g., JETS).

- (d) When necessary, employees may travel on verbal authorization. However, the authorizing official must follow up with a written authorization as soon as reasonably practical and before the reimbursement of travel expenses. In the following exceptions, verbal authorization alone is enough.
  - (1) Chambers staff traveling with the employing judge to attend court sessions or authorized judicial meetings, as defined in Guide, Vol. 19, Ch. 2 (Travel Regulations for Justices and Judges).
  - (2) Courtroom deputies, staff court reporters, and staff interpreters may travel to attend court sessions at the direction of the judicial officer with the approval of the authorizing official.
  - (3) Travel solely within the local commuting area.
- (e) After travel is authorized, funds for expected travel-related expenses must be obligated promptly and accurately. **See:** Guide, Vol. 13, § 280.60.30(f) (Posting, Estimating, and Recording Commitments, Obligations, and Accruals).

## § 425.20 Authorizing Officials

- (a) Authorizing officials are responsible for providing advance authorization for the travel of subordinates, contractors, consultants, and other eligible travelers under these regulations.
- (b) Authorizing officials must only authorize travel and travel-related expenses that are necessary to accomplish the judiciary's mission effectively and economically. Authorizing officials should always consider whether less expensive alternatives to travel (e.g., teleconferences; video conferences) can be used effectively.
- (c) The following officials may authorize travel:
  - (1) Chief Judges
    - (A) For their own chambers staff, CUEs, *pro se* law clerks, death penalty law clerks, and land commissioners.
    - (B) Travelers must also obtain authorization from the AO's Judicial Services Office (JSO) when more than two chambers staff members from the same court (i.e., jurisdiction) travel outside their employing home circuit or employing district for any official purpose, other than to:

- (i) attend a meeting or course for learning specified in § 450.20 (Meetings or Conventions of Societies and Private Associations), or
  - (ii) attend an event funded and authorized by another judiciary organization (e.g., FJC).
- (C) Requests for JSO authorization should include:
  - (i) a statement of the business need for the additional staff members, and
  - (ii) the reason those business needs cannot be satisfied using remote technology (e.g., audio- or videoconferencing) or by the other chambers staff traveling with the judge.
- (D) The chief judge may redelegate to others the authority to authorize travel for CUEs, *pro se* law clerks, death penalty law clerks, and land commissioners.
  - (i) Chief district judges should not redelegate the authority to authorize a CUE's travel to another CUE.
  - (ii) The redelegation must be in writing.
  - (iii) The redelegation is terminated upon the change in chief judge or the separation of the individual if the redelegation is not to a position (e.g., clerk of court).

(2) Judges

- (A) For their chambers staff.
- (B) Travelers must also obtain authorization from the appropriate chief judge and JSO when more than two chambers staff members travel outside their employing home circuit or employing district for any official purpose, other than to attend a meeting or course for learning specified in § 450.20 (Meetings or Conventions of Societies and Private Associations). Requests for authorization should include:
  - (i) a statement of the business need for the additional staff members, and

- (ii) the reason those business needs cannot be satisfied using remote technology (e.g., audio- or videoconferencing) or by the other chambers staff traveling with the judge.

(3) Circuit Executives

- (A) For employees within the circuit unit(s). This also includes circuit mediators, if administratively assigned to the circuit executive.
- (B) The traveler must also obtain authorization from the AO's Court Services Office (CSO) when he or she travels to a court session outside the home circuit.

(4) Clerks of Court and District Court Executives

- (A) For employees in their assigned offices, and if applicable, court reporters, court interpreters, and jury commissioners serving under 28 U.S.C. § 1863(b)(1). This includes mediators, *pro se* law clerks, and death penalty law clerks, if administratively assigned to a clerk of court.
- (B) An employee who travels to provide direct courtroom support outside the home district must also ordinarily obtain CSO authorization. The request must include a certification from the borrowing court that it is unable to provide the required services.

**Exception:** CSO's authorization is not required if a court reporter, court interpreter, or courtroom deputy/case manager is traveling as courtroom support under an agreement between lending and borrowing courts where funding is provided locally (i.e., by lending and borrowing courts).

(5) Probation and Pretrial Services Chiefs

- (A) For employees in their assigned offices.
- (B) Probation and pretrial services officers ordered by the court to attend a court session outside their home district do not require additional AO authorization.

(6) FPDs

(A) For self, except that authorization from the Chief of the AO's Defender Services Office (DSO) is required for:

(i) any travel into and out of the continental United States, and

(ii) all non-case related travel outside of the district.

(B) For FPDO employees, except that DSO Chief authorization is required for:

(i) any travel into and out of the continental United States, and

(ii) all travel to court sessions outside the home circuit.

(7) Senior Staff Attorneys

For employees under their supervision. This includes circuit mediators, if administratively assigned to them.

(8) Bankruptcy Administrators

For employees in the bankruptcy administrator's office.

(9) Circuit Librarians

For employees under their supervision.

(10) AO Director

For self, employees of the AO, and individuals performing invitational travel in connection with a Judicial Conference Committee meeting.

(11) FJC Director

For self and employees of the FJC.

(12) Chair of the U.S. Sentencing Commission (USSC)

For self and employees of USSC.

(13) Clerk of the Judicial Panel on Multi-District Litigation (JPML)

For self and employees of JPML.

- (d) Except as identified in this chapter, authorizing officials may not authorize their own travel.

### § 425.30 Redlegation of Authorizing Authority

An authorizing official may redelegate in writing the authority to authorize travel; however, such designations must be kept to as high a supervisory level as practicable to ensure adequate oversight.

## § 430 Lodging

### § 430.10 Lodging Expense Reimbursement

- (a) When TDY travel (i.e., travel outside the local commuting area) requires overnight lodging, travelers may claim actual lodging expenses up to the published maximum allowable daily lodging rate for the TDY location where lodging is authorized. **Note:** Lodging taxes, where applicable, may be claimed separately as a miscellaneous expense. **See:** § 430.30 (Lodging Taxes).
  - (1) Maximum allowable daily lodging rates for CONUS locations are published by GSA. **See:** GSA Per Diem Rates. **Note:** If the TDY location — or the county or parish in which it resides — is not listed on the GSA website, a traveler must use the standard CONUS rate.
  - (2) Maximum allowable daily lodging rates for Alaska, Hawaii, and U.S. territories (i.e., OCONUS locations) are published by the Department of Defense (DoD). **See:** DoD Per Diem Rates.
  - (3) Maximum allowable daily lodging rates for foreign destinations are published by the Department of State (DoS). **See:** DoS Foreign Per Diem Rates by Location.
- (b) The published maximum allowable daily lodging rate for the location where a traveler is authorized to travel generally establishes an upper limit for reimbursement.

**Example:** A traveler is authorized to travel to City A. The traveler elects to stay overnight in nearby City B, which has a higher published maximum allowable daily lodging rate. The traveler's reimbursement of expenses would be limited to the published maximum allowable daily lodging rate for City A.
- (c) Travelers are generally expected to secure lodging at the location of their TDY assignment, if appropriate lodging is available (e.g., staying a significant distance away from the TDY location, at a resort, would not be

prudent). The traveler will bear any extra costs incurred for staying at a distant facility.

- (d) Generally, a traveler will be reimbursed lodging expenses for a non-workday (e.g., federal holiday, weekends) if:
  - (1) the official travel status requires his or her stay to include a non-workday, and
  - (2) the authorizing official determines that requiring the employee to remain at the TDY location is advantageous to the judiciary for efficiency or effectiveness reasons (e.g., where the time and/or distance involved would make it impractical for the employee to return home or would otherwise create an undue hardship for the employee).

#### **§ 430.20 Exceeding the Published Maximum Allowable Daily Lodging Rate**

- (a) Travel reimbursement at a rate exceeding the published maximum allowable daily lodging rate is intended for the benefit of the judiciary, not the individual traveler.
- (b) Travel reimbursement at an elevated rate should not be treated as an entitlement; travelers and authorizing officials are expected to adhere to the prudent traveler rule. **See:** § 410.40 (Prudent Traveler Rule).

##### **§ 430.20.10 Local Authority to Reimburse Lodging Expenses Up to 200%**

- (a) If lodging cannot be secured at or below the published maximum daily lodging rate for the TDY location, the authorizing official funding the travel may authorize reimbursement of lodging expenses up to 200% of the published maximum allowable daily **lodging** rate for the TDY location.
  - (1) The 200% is based on the published maximum daily lodging rate for the TDY location only; the daily M&IE allowance is **not** included in this calculation.
  - (2) This authority may not be used to decline nearby suitable lodging options solely for the purpose of selecting a location where an accompanying judge has secured lodging. Elevated lodging rates when traveling with judges are **only** automatically authorized for specific events. **See:** § 430.20.30 (Lodging at Certain Events with Judges).
- (b) A traveler must obtain prior authorization to exceed the published maximum allowable daily lodging rate for the TDY location, but the specific

requirements depend on the percentage over the maximum lodging rate. When a traveler's nightly rate is expected to exceed the published maximum allowable daily lodging rate for the TDY location by:

- (1) 150% or less — the authorization should include justification for the higher rate (i.e., why nearby hotels offering nightly rates at or below the government rate are not viable options), or
  - (2) more than 150% — the lodging must be secured through a TMC. The TMC will verify and document that no other nearby suitable lodging options are offered at or below the published maximum allowable daily lodging rate for the given TDY location, justifying the higher reimbursement limit.
- (c) The traveler may only be reimbursed for any lodging expenses above 150% of the TDY location's published maximum allowable daily lodging rate by presenting documentation showing that lodging was secured through a TMC.

#### **§ 430.20.20 Reimbursement of an Employee's Lodging Expenses Up to 300%**

- (a) If lodging cannot be secured within 200% of the published maximum daily lodging rate for the TDY location, the AO Director may authorize reimbursement of an **employee's** lodging expenses up to 300% of the published maximum allowable daily lodging rate for the TDY location. **Note:** The daily M&IE allowance is **not** included in this calculation.
- (b) The AO Director may grant such requests in the following very limited instances:
- (1) To accommodate the special needs of an employee with disabilities (e.g., hotel room that is accessible or otherwise equipped for physically disabled persons).
  - (2) Where special or unusual circumstances in the travel area (e.g., sporting event; convention; natural disaster):
    - (A) result in an extreme increase in costs for a temporary period, or
    - (B) otherwise cause the ordinary reimbursement allowances to become inadequate to cover reasonable expenses.
- (c) Before travel begins, the authorizing official must request, in writing via email, the AO Director's authorization for reimbursement at a higher lodging rate under this authority. The request must describe both the

circumstances that justify an increased rate and the efforts made to secure lodging through a TMC.

- (d) The AO Director **will not** grant authority to exceed 300% of the published maximum allowable daily lodging rate.

#### **§ 430.20.30 Lodging at Certain Events with Judges**

- (a) An authorizing official may authorize reimbursement to an employee for lodging expenses, not to exceed the amount that judges may claim for lodging, when the employee is required to travel to attend a:
- meeting of the Judicial Conference, its committees, or subcommittees;
  - circuit judicial conference;
  - circuit judicial council committee meeting; or
  - district-wide judges' meeting.
- (b) Judiciary employees authorized reimbursement under paragraph (a) above are **not** required to secure lodging through a TMC when the nightly rate at the designated hotel exceeds the published maximum allowable daily lodging rate for the TDY location.

#### **§ 430.20.40 Lodging at Non-Judiciary Organized Conferences, Seminars, and Similar Events**

- (a) Travelers attending a non-judiciary organized conference (e.g., commercial training), where the lodging costs at the conference sponsor's preferred hotel exceed the published maximum allowable daily lodging rate for the TDY location, are not automatically authorized a higher lodging expense reimbursement.
- (b) Travelers must adhere to requirements of the standard TDY lodging policies in this chapter, which may result in the traveler securing lodging at an alternate nearby location or personally paying the excess lodging costs of the conference sponsor's preferred hotel.

#### **§ 430.20.50 Lodging at Certain Judiciary Organized Staff Trainings, Conferences, Retreats, and Similar Events**

- (a) Travelers attending a judiciary organized event – excluding those detailed in § 430.20.30 (Lodging at Certain Events with Judges) – where the lodging costs at the designated hotel exceed the published maximum allowable daily lodging rate for the TDY location, may not be directly reimbursed at the higher lodging expense reimbursement.
- (b) If the planners of a judiciary organized event cannot secure lodging at or below the published maximum allowable daily lodging rate for the TDY

location, the lodging must be awarded as a procurement and paid for centrally (e.g., purchase order, CBA) rather than through individual travel reimbursement. The following considerations and requirements apply.

- (1) Organizers must consider minimizing costs when planning such events. **See:** Guide, Vol. 24, § 220.20 (Cost Considerations) and § 220.30 (Other Management Considerations).
- (2) The contracting officer must detail, in the procurement documentation, what market research was performed to identify alternate dates, locations, and how a guest room rate exceeding the maximum allowable daily lodging rate for the TDY location is determined reasonable. **See:** Guide, Vol. 14, § 325.15 (Open Market Competition) and § 330.36 (Evaluation of Offers).
- (3) The negotiated lodging rate may not exceed 200% of the maximum allowable daily lodging rate for the TDY location.
- (4) In these instances, organizers are strongly encouraged to use a CBA, which will preserve valuable judiciary resources by avoiding applicable hotel occupancy taxes and permit the Judiciary to offset some of the elevated nightly costs through Citi's rebates.
- (5) Events with aggregate costs over \$100,000 have additional approval and reporting requirements. **See:** Guide, Vol. 24, § 230 (Approval Requirement).
- (6) Organizers and travelers are not required to use a TMC in this instance.

## **§ 430.30 Lodging Taxes**

### **§ 430.30.10 CONUS and OCONUS Non-Foreign Lodging Taxes**

- (a) GSA and DoD do not include hotel taxes in their published maximum allowable daily lodging rates for CONUS and OCONUS non-foreign locations, respectively. **See:** § 430.10(a)(1)-(2).
- (b) Travelers performing official CONUS and OCONUS non-foreign travel may be exempt from certain lodging taxes in the specific state or local jurisdiction to which they are traveling. Not all states and localities offer a tax exemption, and some locations do not specify a particular form on which to claim it.

- (c) The Prudent Traveler Rule requires travelers to claim a tax exemption on lodging wherever this option is available. **See:** § 410.40 (Prudent Traveler Rule).
- (d) Travelers and authorizing officials must determine the tax-exempt status and any required local tax forms for each TDY location **before** travel begins. This information is available on the GSA SmartPay website. Alternatively, travelers and authorizing officials may contact the hotel before travel to ask about local tax-exempt forms and requirements.
  - (1) Travelers on official travel in locations that are tax-exempt must inform hotels that they qualify for a tax exemption, present the appropriate tax exemptions forms, and request removal of the taxes from their lodging bills.
    - (A) Generally, travelers should not be reimbursed for lodging taxes in tax-exempt locations where they fail to make reasonable effort to obtain the tax exemption.

**Note:** Travelers who have an individually billed account (IBA) and elect to use personal funds, in lieu of their IBA, should not be reimbursed for lodging taxes if the hotel would have given a tax-exemption if the IBA had been used. For further guidance on the IBA, **see:** § 470.10.10 (Individually Billed Account (IBA)).
    - (B) If a hotel or other lodging provider in a tax-exempt location does not recognize the tax-exempt status or otherwise refuses to exclude the lodging taxes, a traveler may be reimbursed for the improperly assessed lodging taxes.
      - (i) The costs for lodging taxes, itemized separately on the lodging bill, should be claimed as a miscellaneous expense.
      - (ii) The traveler's voucher must include a statement of what steps were taken (i.e., reasonable efforts) to secure the tax exemption.
  - (2) Travelers on official travel in locations that are not tax-exempt may be reimbursed for lodging taxes.
    - (A) The costs of lodging taxes, itemized separately on the lodging bill, should be claimed as a miscellaneous expense.

- (B) Lodging taxes reimbursable as a miscellaneous travel expense are limited to the taxes on authorized lodging costs. For example, if the maximum authorized lodging rate was \$50 per night, and a traveler elects to stay at a hotel that costs \$100 per night, the traveler can only claim the amount of taxes on \$50, which is the maximum authorized lodging amount.
- (e) Travelers who book lodging reservations through a third-party travel provider, other than a TMC, (e.g., Orbitz, Hotwire, Travelocity) may not be able to obtain a lodging bill that separately itemizes taxes. In such instances, where voucher reviewers cannot identify nightly room rates and taxes separately, reimbursement will be limited to the published maximum allowable daily lodging rate. Travelers may not assume the amounts over the published maximum allowable daily lodging rate comprise lodging taxes.

#### **§ 430.30.20 Foreign Lodging Taxes**

The DoS includes hotel taxes in its published maximum allowable daily lodging rates for foreign locations. Lodging taxes in foreign locations, therefore, may not be reimbursed as a separate expense.

#### **§ 430.40 Resort Fees and Similar Add-On Lodging Charges**

- (a) Some hotels or lodging providers charge, in addition to the base room rate, a mandatory per room, per night fee that may be claimed as a miscellaneous expense, subject to the limitations in paragraphs (c) and (d) below. These add-on lodging charges may appear on a lodging bill as resort, facility, amenity, or urban convenience fees, energy surcharges, tourism fees, or minor COVID-19-type disinfection surcharges.

**Note:** Nightly “cleaning” fees commonly associated with non-conventional lodging, properties, or lodging providers (e.g., Airbnb, VRBO, HomeAway) are considered part of the lodging rate and are **not** an add-on fee for purposes of these regulations. Travelers securing non-conventional lodging online should not solely consider the “per night” charge quoted. Instead, travelers should scroll down to the “total,” which will detail the amounts that will be billed. For further guidance on non-conventional lodging, **see:** § 430.60.20 (Non-Conventional Lodging).

- (b) Travelers should consider these additional costs when selecting lodging. Securing lodging through FedRooms ensures no additional add-on fees. A TMC can also assist in locating lodging options that do not charge add-on fees.

- (c) Such fees and add-on lodging charges, to the extent they cannot be avoided, may be reimbursed — in addition to the base per night lodging expenses — if they:
  - (1) are not entertainment-related (e.g., tennis, pool, golf);
  - (2) do not exceed \$45 per night; and
  - (3) are authorized in advance.
- (d) For such costs anticipated to exceed \$630 per trip, (i.e., 14 consecutive days), advance authorization is required from the:
  - AO Director, for court, FPDO, and AO-funded travel;
  - FJC Director, for FJC-funded travel; and
  - USSC Chair, for USSC-funded travel.

### **§ 430.50 Lodging Cancellation Costs**

- (a) Travelers must take steps to minimize cancellation costs, including cancelling lodging reservations as soon as travel plans change.
- (b) A traveler may be reimbursed for lodging cancellation costs when he or she is unable to cancel the reservation within the hotel's prescribed cancellation window due to circumstances beyond the traveler's control (e.g., curtailed or cancelled official business; unavoidable and unexpected travel delay).
  - (1) A traveler may not be reimbursed for lodging cancellation costs incurred due to personal convenience or negligence.
  - (2) A traveler seeking reimbursement should include with their travel voucher a summary of the circumstances surrounding the cancellation and an explanation of the steps taken to mitigate costs to the judiciary.
  - (3) A traveler's reimbursement for lodging cancellation costs is limited to one night's lodging at the published maximum allowable daily lodging rate, plus applicable taxes and any additional room charges (e.g., resort, tourism, convention fees), for the given location.

### **§ 430.60 Types of TDY Lodging**

This section provides lodging options for standard TDY travel. For extended TDY assignments, **see:** § 460.10 (Lodging for Extended TDY Assignments).

#### **§ 430.60.10 Conventional Lodging**

Travelers should generally use conventional lodging options (e.g., hotels, motels) for official travel.

#### **§ 430.60.20 Non-Conventional Lodging**

- (a) When it is advantageous to the judiciary or if conventional lodging is unavailable (e.g., remote areas; an influx of attendees at a special event), authorizing officials may permit, according to local policies, a traveler to use non-conventional lodging, properties, or lodging providers (e.g., Airbnb, VRBO, HomeAway).
- (b) Authorizing officials may not require travelers to stay at non-conventional lodging (e.g., private residence) while on official travel.

#### **§ 430.60.30 Lodging with Friends and Relatives**

- (a) Generally, a traveler may not claim reimbursement for any lodging expenses when staying with friends or relatives at a TDY location.
- (b) If, however, a traveler's host can demonstrate they incurred additional costs as a direct result of the traveler's stay (e.g., rental of furniture; increase in rental fees for an apartment), the traveler may be reimbursed to compensate the host.
  - (1) The reimbursement may not exceed the published maximum allowable daily lodging rate for the TDY location.
  - (2) Travelers must provide itemized receipts to substantiate the claimed amounts, and the judiciary organization may reduce any claimed amount deemed unreasonable.
- (c) Reimbursement for costs associated with a host's insurance, utilities, purchase of furniture and bedding, or repairs may not be authorized.

#### **§ 430.60.40 Lodging at a Secondary Residence**

A traveler may not claim reimbursement for any lodging expenses when staying at a secondary residence (e.g., personally owned home; rented apartment; timeshare) at a TDY location.

## § 435 Meals and Incidental Expenses (M&IE)

### § 435.10 Actual Expense Reimbursement

#### § 435.10.10 Employee Same-Day Travel

- (a) When TDY travel (i.e., travel outside the local commuting area) is between 12 and 24 hours, and no overnight stay occurs, a traveler is entitled to reimbursement of meal expenses. **See:** § 420.40 (Temporary Duty Travel (TDY)). Official travel begins at the time the traveler leaves his or her home, office, or other authorized point of departure and ends when the traveler returns to his or her home, office, or other authorized point at the trip's conclusion.
- (1) Meal reimbursement for same-day travel must be paid on an **actual expense basis** not to exceed the applicable maximum daily M&IE allowance for the locality.
  - (A) Maximum allowable daily M&IE allowances for CONUS locations are published by GSA. **See:** GSA Per Diem Rates. **Note:** If the TDY location — or the county or parish in which it resides — is not listed on the GSA website, an employee must use the standard CONUS daily M&IE allowance.
  - (B) Maximum allowable daily M&IE allowances for Alaska, Hawaii, and U.S. territories (i.e., OCONUS locations) are published by the DoD. **See:** DoD Per Diem Rates.
  - (C) Maximum allowable daily M&IE allowances for foreign destinations are published by the DoS. **See:** DoS Foreign Per Diem Rates by Location.
- (2) When same-day travel requires an employee to visit multiple TDY locations, the traveler is entitled to use, to establish an upper limit for reimbursement, the highest maximum allowable daily M&IE allowance of the TDY locations visited.
- (b) Same-day travelers must provide itemized receipts for actual meal expenses claimed, **regardless of amount**. **See:** § 475.10(b)(4) (Documentation of Expenses).
- (c) Meal reimbursements associated with judiciary same-day travel, when no overnight stay occurs, are taxable income to the employee (i.e., fringe benefit). **See:** 26 U.S.C. § 162(a)(2) (Trade or business expenses).

These reimbursements must be processed using sub-BOC T3. **See:** Budget Object Code (BOC) Reference Sheet.

- (d) For guidance on tax consequences of reimbursement for employee meals while on same-day travel, **see:** Guide, Vol. 13, § 1250.10 (Meal Reimbursement While in Travel Status).

#### § 435.10.20 Exceeding Standard Daily M&IE Allowances at Certain Events with Judges

- (a) An authorizing official may authorize reimbursement to an employee for actual expenses not to exceed the amount that judges may claim for meals **at the event**, when the employee is required to travel to attend a:
- meeting of the Judicial Conference, its committees, or subcommittees;
  - circuit judicial conference;
  - circuit judicial council committee meeting; or
  - district-wide judges' meeting.
- (b) Judiciary employees authorized reimbursement under paragraph (a) above must provide itemized receipts for actual meal expenses claimed, **regardless of amount**. **See:** § 475.10(b)(4) (Documentation of Expenses).

#### § 435.10.30 Non-Employees

- (a) Non-employee travelers, reimbursed on an actual expense basis, must provide itemized receipts for lodging and any individual expense of \$75 or more. **See:** § 475.10(b)(8) (Documentation of Expenses).
- (b) For guidance on specific types of non-employee travelers, **see:**
- § 455.10 (Jurors (Veniremen, Petit, Grand))
  - § 455.15 (CJA Panel Attorneys and CJA Service Providers)
  - § 455.20 (Contractors, Consultants, and Experts (Non-CJA))
  - § 455.25 (Invitational Travelers)
  - § 455.30 (Volunteers)
  - § 455.35 (Staff of Part-Time Magistrate Judges)

#### § 435.20 Daily M&IE Allowance

- (a) When overnight lodging is required, travelers are eligible for daily M&IE allowances that are prescribed for given TDY locations. **See:** § 435.10(a)(1)(A)-(C). The daily M&IE allowance is a set amount that the traveler on official travel status receives; it is not dependent on the cost of meals consumed or type of incidental expense incurred. **Note:** Taxes

and gratuities (tips) for meals are included in the M&IE allowance, and travelers will not be reimbursed separately for those items.

- (b) When a traveler is conducting official business that involves multiple TDY locations, the daily M&IE allowance for each day is based on the TDY location where the traveler is authorized to stay overnight. If the traveler is returning to his or her official duty station, the daily M&IE allowance is based on the TDY location from the preceding calendar day.
- (c) When a traveler is conducting official business and is en route after midnight to his or her official duty station, TDY location, or residence, an additional allowance of one-fourth of the M&IE rate may be authorized.

### **§ 435.30 Reduced Daily M&IE Allowances**

- (a) The authorizing official, on a case-by-case basis, may authorize a reduced daily M&IE allowance.
- (b) Decisions to reduce the daily M&IE allowance must be made prudently and not for the sole purpose of limiting expenditures.
- (c) The traveler must be notified in writing of the reduced daily M&IE allowance before the start of travel (e.g., local policy; individual travel authorization).
- (d) For extended TDY assignments, **see:** § 460.20 (Daily M&IE Allowances for Extended TDY Assignments).

#### **§ 435.30.10 Furnished Meals**

- (a) When meals are provided at no cost to a traveler, the traveler must claim a reduced daily M&IE allowance by deducting the cost for the meal, based on the GSA M&IE Breakdown, from the overall daily M&IE allowance.  
**Note:** For OCONUS travel, the Proportional Meals Rate (PMR) is used when one or more meals are provided at no cost to a traveler, **see:** DoD M&IE Per Diem Rates.
  - (1) This may occur when the meals are:
    - provided as part of a meeting;
    - included as part of a conference or conference registration fee;
    - added to the base rate lodging rate;
    - provided to the traveler by the judiciary; or
    - reimbursed or provided from other sources.

- (2) Travelers are encouraged, but not required, to deduct complimentary meals offered at no charge by hotels (e.g., free continental breakfast) or common carriers from the daily M&IE allowance.
- (b) If a traveler is unable to consume a furnished meal (e.g., for medical or religious reasons), he or she should request an alternate meal. If the traveler is unable to obtain an alternate meal, he or she may claim the full meal amount (i.e., the traveler is not required to reduce the daily M&IE allowance).
  - (1) The traveler must include a statement of the steps taken to obtain an alternate meal (e.g., email or phone correspondence with a representative of the facility) with his or her voucher.
  - (2) The authorizing official must use discretion when authorizing a full daily M&IE allowance when a meal is furnished.

#### **§ 435.30.20 First and Last Days of Travel**

- (a) **Generally, a traveler's daily M&IE allowance is not reduced on the first and last days of travel.**
- (b) Judiciary organizations, however, may implement a local policy that uniformly reduces a traveler's M&IE reimbursement for the first and last days of travel (e.g., 75% of the daily M&IE; restrict applicable M&IE allowances to a specific timeframe, such as breakfast, lunch, or dinner).

#### **§ 435.30.30 When Lodging with Friends or Relatives**

Generally, a traveler's daily M&IE allowance is **not** reduced solely because he or she secured TDY lodging with friends or relatives.

#### **§ 435.30.40 When Lodging at a Second Residence**

A traveler **may** claim reimbursement for M&IE when staying at a secondary residence (e.g., personally owned home; rented apartment; timeshare) at a TDY location.

### **§ 435.40 Daily M&IE Allowance on Leave During Travel**

#### **§ 435.40.10 Annual or Compensatory Leave**

- (a) An employee may not claim the daily M&IE allowance while on approved annual or compensatory leave.

- (b) An employee, who takes annual or compensatory leave for more than one-half of the work hours for a day, may not claim all or part of the daily M&IE allowance for that day.

#### **§ 435.40.20 Sick Leave**

For guidance on daily M&IE allowances when an employee's travel is interrupted by sickness or injury, **see:** § 465.10 (Illness).

#### **§ 435.50 Daily M&IE Allowance on Non-Workdays During Travel**

- (a) Generally, a traveler will be reimbursed the daily M&IE allowance for a non-workday (e.g., federal holiday, weekends) if required to be on official travel.
- (b) As a general rule, when considering whether to maintain a traveler at a TDY location during a non-workday or return them to the official duty station, the authorizing official should choose the option that is least costly to the judiciary. An authorizing official may authorize an exception when he or she determines that:
  - (1) requiring the employee to remain at the TDY location is advantageous to the judiciary for efficiency or effectiveness reasons (e.g., where the time and/or distance involved would make it impractical for the employee to return home or would otherwise create an undue hardship for the employee), or
  - (2) returning the employee to his or her official duty station or residence after a reasonable period for longer TDY assignments (e.g., Federal Law Enforcement Training Center (FLETC) training) is advantageous to the judiciary to improve the employee's morale and increase productivity.
- (c) For additional guidance on M&IE allowances for extended TDY travel, **see:** § 460.20 (Daily M&IE Allowances for Extended TDY Assignments).

### **§ 440 Transportation Expenses**

A traveler is eligible for reimbursement of authorized transportation expenses when performing official travel.

#### **§ 440.10 Methods of Transportation**

Authorizing officials may authorize the use, subject to the restrictions of this section, of any of the following methods of transportation:

- common carrier (e.g., aircraft, train, bus, local transit system, ferry, or ship);
- government-furnished vehicle;
- rental vehicle;
- privately owned vehicle (POV); and
- taxi or ridesharing service (e.g., Uber, Lyft).

#### **§ 440.10.10 Selecting the Most Advantageous Method of Transportation**

- (a) When making travel arrangements, travelers should use the least expensive mode of transportation and class of fare that will reasonably accommodate the official purpose of the travel.
- (b) Authorizing officials must limit travel authorizations to the expenses required to complete the official business expeditiously and cost effectively. Authorizing officials should consider factors such as cost (including the cost of transportation to and from common carrier terminals, cost of a Saturday night stayover), distance, estimated travel time, lost productivity, and allowable overtime.
- (c) For official business that is 500 miles or more one-way from a traveler's residence or official duty station, air travel is presumed to be the most advantageous to the judiciary. A traveler — or group of travelers — may negate this presumption with a constructive cost analysis. **See:** § 410.50 (Constructive Cost of Travel).
- (d) For official travel by automobile, government-furnished vehicles, when available, are presumed to be the most advantageous to the judiciary.

#### **§ 440.10.20 Traveling by the Most Direct Route**

- (a) Travelers are required to use the most direct, commonly traveled route to perform official travel unless the traveler obtains prior authorization to deviate from that route.
- (b) A traveler who, for personal reasons, wishes to deviate from the most direct, commonly traveled route must seek authorization before travel. **See:** § 410.50 (Constructive Cost of Travel).
- (c) Travelers that use an indirect route or alternate mode of travel as a personal preference are personally responsible for any additional costs.

#### **§ 440.15 Air Travel**

Air travel is generally the most cost effective, expeditious mode of long-distance transportation and should normally be used for trips of 500 miles or more one-way from a traveler's residence or official duty station.

**§ 440.15.10 Selecting Appropriate Airport**

- (a) If two or more airports are within a traveler's local commuting area or TDY location, the applicable City Pair YCA fare is based on the departing and arriving airports that will enable the most expedient and cost-effective completion of the TDY travel.

**Note:** The search results from the City Pair Program Search Tool will generally indicate the appropriate airports or the need for more analysis (e.g., a more detailed constructive cost analysis).

- (b) If a traveler's local commuting area is only served by a regional airport, the traveler may consider departing from and returning to the nearest major hub airport, if a constructive costs analysis supports it. **See:** Constructive Cost Analysis Tool.

**§ 440.15.15 GSA City Pair Airfare (Government Contract Fares)**

- (a) Under its City Pair Program, GSA contracts with various airlines to obtain discounted fully refundable airfares for routes frequently traveled by federal government employees. Typically, only one airline, the contract carrier, holds the contract for a specific route between city pairs (i.e., between given departure and arrival airports) for a fiscal year.

**Note:** City Pair fares are available on the City Pair Program Search Tool.

- (b) The City Pair Program offers two types of contract fares, identified in the City Pair Program Search Tool, by the fare basis code of either "YCA" or "\_CA." Both fare types are fully refundable and not subject to change fees.

- (1) "YCA" refers to a contracted unrestricted coach-class fare that includes the benefit of last-seat availability.
- (2) "\_CA" refers to a lower cost, contracted coach-class fare that is capacity controlled (i.e., only a certain number of seats are available on a given flight). A "\_CA" airfare should generally be used when available, as it provides the judiciary with the greatest savings while offering the traveler similar benefits as the "YCA" fare.
- (3) Travelers are generally encouraged to secure airfare through a TMC to ensure that the appropriate City Pair fare is obtained.
- (4) Airlines, other than the contract carrier, often offer discounted "government" fares (e.g., -DG) to travelers on official business.

- (A) These fares have similar attributes as City Pair fares (i.e., YCA; \_CA) in that they are often fully refundable and changeable. They may, however, exceed the cost of the City Pair fares.
- (B) The traveler is personally responsible for any costs over the applicable City Pair YCA fare, including any penalties associated with flight changes and cancellations, except as authorized under § 440.15.20 (Alternatives to GSA City Pair Airfare).
- (c) City Pair fares may only be charged to an IBA or Centrally Billed Account (CBA); airlines will not accept a personal credit or debit card for these fares. **Note:** This is a GSA contract requirement with the airlines, not a judiciary requirement. For further guidance on IBAs and CBAs, **see:** § 470.10 (Government Travel Card Program).
- (d) CJA panel attorneys and CJA service providers, as well as invitational travelers and volunteers, are entitled to — and are generally expected to use — government contract fares (e.g., City Pair fares). **See:** § 455 (Special Categories of Travelers). A CBA must be used to purchase City Pair fares for these travelers.
- (e) Non-CJA contractors, consultants, and experts, as well as part-time magistrate staff are **not** eligible to use City Pair fares. **See:** § 455 (Special Categories of Travelers). Judiciary cardholders may not purchase City Pair fares with a CBA on behalf of ineligible individuals.
- (f) City Pair fares may not be used for employee travel funded by non-federal sources. **See:** § 425.10(a)(1)(B) (Travel Authorizations).
- (g) City Pair fares may not be used for the personal portion of a trip that combines official and personal travel. **See:** § 490 (Combining Official and Personal Travel).

#### **§ 440.15.20 Alternatives to GSA City Pair Airfare**

- (a) Travelers eligible for City Pair fares are encouraged, but not required, to use City Pair fares. City Pair fares (plus reasonable applicable taxes and fees), however, generally establish an upper limit for reimbursement. **See:** § 410.50 (Constructive Cost of Travel).
- (b) Travelers may be reimbursed for a non-City Pair fare in the following instances:

- (1) City Pair fares are not available between the commercial airports that service the traveler's official duty station and the TDY location. Except for individuals traveling to, from, or between OCONUS locations, the traveler must use a TMC to purchase the lowest priced airfare that will accomplish the judiciary's mission effectively and economically. **See:** § 415 (Travel Management Center).
  - (2) A carrier offers a refundable fare to the public that is lower than the applicable City Pair YCA fare.
  - (3) A carrier offers a non-refundable fare to the public that is significantly lower than the applicable City Pair YCA fare. **See:** § 440.15.25 (Non-Refundable Airfares).
  - (4) Space is not available on any scheduled City Pair flights to accomplish the purpose of the TDY trip.
  - (5) Using the City Pair flights would require an overnight stay and make the total cost of the trip higher than using a fare offered to the public. Travelers are not required to use a TMC in this instance.
  - (6) Group travel, booked through a TMC, for five or more travelers requires seats on the same cost-effective non-contract flight for the same official business purpose.
- (c) Authorizing officials must pre-authorize the use of non-contract airfares exceeding the applicable City Pair YCA fare (i.e., the highest government contract fare) on a case-by-case basis. **Note:** Use of these fares should be rare. **See:** § 440.15.35(d)-(e).
- (d) If a traveler purchases a non-contract airfare over the applicable City Pair YCA fare without prior authorization, the traveler is personally responsible for any costs above the City Pair YCA fare, including costs associated with flight changes and cancellations.

#### **§ 440.15.25 Non-Refundable Airfares**

- (a) Authorizing officials and travelers should exercise caution when authorizing and purchasing non-refundable fares, due to the significant fees associated with changing or cancelling the itinerary.
- (b) In the interest of economy, a traveler may generally be authorized to purchase non-refundable airfare that is at least \$250 less than the applicable City Pair YCA round-trip fare.

- (1) During a continuing resolution (CR), travelers may only purchase non-refundable airfares when the travel itinerary will be completed before the CR expires. **See:** § 465.50(d) (Travel During a Continuing Resolution (CR)).
- (2) During a lapse in appropriations or shutdown, travelers should not purchase non-refundable airfares. **See:** Guide, Vol. 13, § 230.50 (Lapse in Appropriations and Shutdown).
- (c) An authorizing official may authorize a traveler who uses a non-refundable airfare that is conditioned on a Saturday night stay-over to be reimbursed lodging plus daily M&IE, within the limitations of this policy and subject to the constructive cost of travel (i.e., only to the extent that the total cost of the non-refundable airfare plus the additional lodging and M&IE allowance is less than the City Pair YCA fare). **See:** § 410.50 (Constructive Cost of Travel).
- (d) Before authorizing non-refundable airfare, the authorizing official and traveler should consider, in addition to the cost savings described above, the following:
  - (1) Likelihood of Changes or Cancellation

Travelers should only purchase non-refundable airfares when they are confident that the travel will occur without schedule changes or cancellation.
  - (2) Type of Traveler

If travel is cancelled, those who travel frequently may have the opportunity to use any resulting credits, which are generally valid for one year. These credits, however, are unlikely to be used by:

    - Employees who travel infrequently, and
    - Eligible non-employees who may not travel on the judiciary's behalf in the future. **See:** § 455 (Special Categories of Travelers).

#### **§ 440.15.30 Cancellation and Changes to Non-Refundable Airfares**

- (a) When non-refundable airfare is authorized, the traveler may claim reimbursement for any costs associated with flight changes (including the cost of an entirely new ticket) and cancellations, when the change or cancellation is made for official reasons or is beyond the control of the

traveler (e.g., illness, accident, natural disaster). **See:** § 465.10 (Illness) and § 465.20 (Personal Emergency).

- (b) If additional costs are incurred for changes due to personal convenience or negligence (e.g., not arriving on time to the airport), reimbursement for the cost of the fare and any penalties or fees will be limited to the amount of the applicable City Pair YCA fare.
- (c) A traveler will not be reimbursed for the cost of a non-refundable airfare if the traveler does not take the flight due to personal convenience or negligence (e.g., no show; failure to cancel).
- (d) Travelers seeking reimbursement for cancellation or change costs should include with their travel voucher an explanation of the reasons for the cancellation or change and the steps taken to mitigate costs to the judiciary.
  - (1) The original cost of the ticket, plus any cancellation fees, may be reimbursed immediately.
  - (2) Change fees are not typically charged until a later flight is booked. Change fees may be reimbursed, along with any additional airline tickets costs (e.g., the new ticket price was higher), at the time of the later flight (i.e., when they are incurred).
  - (3) When the airline issues a credit for a cancelled flight and the traveler has been reimbursed for the cost of the ticket, the judiciary organization funding the travel must track that credit and attempt to use it on a later flight for that traveler.
    - (A) Credits are property of the judiciary, since the traveler has been reimbursed with appropriated funds for the value of that cancelled ticket (i.e., value of the credit).
    - (B) Credits may not be used by the traveler for personal benefit. If credits cannot be used for future official travel before they expire (generally within one-year), the traveler must allow the credit to expire and go unused.

**Exception:** A traveler could return the appropriated funds received for reimbursement of the cancelled flight (i.e., the value of the credit) to the funding judiciary organization, effectively purchasing the credit back from the judiciary. This would permit the traveler to use the credit for personal benefit. Judiciary organizations should receipt the funds

back to the appropriation charged for the original reimbursement.

#### § 440.15.35 Class of Accommodations

- (a) Travelers are encouraged, but not required, to use City Pair fares, which provide coach class accommodations.
- (b) Travelers authorized to obtain non-City Pair fares are not restricted by a specific class of service (i.e., cost is the determinative factor, not class of service). City Pair fares, however, generally establish an upper limit for reimbursement.
- (c) Travelers may, at their own expense, use frequent flyer benefits or personal funds to secure early boarding or upgrade seats or class of service **above** the applicable City Pair YCA fare without prior authorization.
- (d) Seat assignments are at the discretion of the carriers.
  - (1) A contract carrier that offers a specific seat assignment (i.e., seat choice) to travelers will follow the same process for offering seat assignments to government travelers as it does for commercial customers in the same fare class of service.
  - (2) When a government traveler's reservation is confirmed but a seat assignment without additional charge is not available (e.g., all seats have been pre-distributed or carriers only board groups at departure), the traveler will receive a seat assignment at the airport ticket counter or gate, consistent with the contract carrier's commercial practices.
  - (3) When contract carriers do not offer seat assignments before boarding, government travelers are not required to pay additional money for a ticket that includes a seat assignment to board the flight.
- (e) Other than Coach Class for Health or Physical Disability
  - (1) For health or physical disability reasons (i.e., individuals entitled to a reasonable accommodation), authorizing officials may authorize upgraded seats or fares exceeding the applicable City Pair YCA fare.
  - (2) In these instances, authorizing officials should limit upgrades, where available, to the class of service higher than economy but

lower than first or business class. These seats, often labeled as “Economy Plus” or similar, offer extra leg room but do not incur the expense of first or business class seats. If an aircraft does not have such seats (e.g., small regional jets), first or business class may be authorized.

- (f) Other than Coach Class for OCONUS Travel
  - (1) For travel to or from OCONUS locations, when the scheduled flight time, including stopovers, is over 14 hours, authorizing officials may authorize upgraded seats or fares exceeding the applicable City Pair YCA fare, including premium or business class seats.
  - (2) Rest Stops
    - (A) The authorizing official may — but is not required to — authorize a rest stop for a period up to 24 hours or that results in no more than one day’s lodging and daily M&IE allowance at either an intermediate point or at a traveler’s final destination if:
      - (i) the scheduled flight time including stopovers, exceeds 14 hours; and
      - (ii) travel is by a direct or usually traveled route.
    - (B) The fact that a traveler may use a class of air service other than coach class does not preclude a rest stop.
    - (C) When a rest stop is authorized, subsistence allowances at the rest stop are provided consistent with these regulations.

#### **§ 440.15.40 Advance Airfare Purchases**

Travelers may need to purchase airfare for official business travel far in advance.

- (a) Airfares purchased in advance are not eligible for a travel advance or reimbursement before travel is completed.
- (b) Travelers should use Citi Pair fares to purchase airfare far in advance, since City Pair fares are not ticketed (i.e., billed immediately to an IBA or CBA) until three days before travel (**see:** § 440.15.15(c) (GSA City Pair Airfare (Government Contract Fares))). This avoids using personal funds to purchase the airfare and waiting until travel is completed to be reimbursed.

- (c) If travelers want to purchase non-City Pair fares far in advance, they should use an IBA or CBA. Purchases billed to an IBA or CBA can be placed, at the cardholder's request, into a goodwill dispute with Citi, which holds the billing until travel has occurred.
- (d) Travelers who voluntarily elect to use a personal credit or debit card to pay for airfare are responsible for payment of the airfare with personal funds and may only seek reimbursement after travel is completed.

#### **§ 440.15.45 Selecting Appropriate Air Carrier**

- (a) Generally, travelers are required to fly U.S. airlines for all judiciary-funded air travel.
- (b) Exceptions are allowed when the origin and destination points of a trip are within the U.S. and its possessions and territories. A non-U.S. airline may be used in the following situations;
  - (1) A ticket issued by a U.S. airline places the traveler on a foreign airline as part of a code sharing agreement (i.e., a contractual arrangement between the U.S. and foreign airlines operating on the same route);
  - (2) A U.S. airline involuntarily reroutes a traveler on a foreign airline; or
  - (3) A judiciary employee travels to or from the U.S. territories of Guam or the Northern Mariana Islands and secures a ticket on a non-U.S. airline:
    - (A) for an outbound flight to the nearest Asian hub airport (i.e., five hours flying time or less) to connect to a U.S. airline for trans-Pacific service; or
    - (B) for an inbound flight from the nearest Asian hub airport (i.e., five hours flying time or less) when connecting from trans-Pacific service on a U.S. airline.

**Note:** Costs associated with passport applications and renewals are non-reimbursable personal expenses.

#### **§ 440.20 Government-Furnished Vehicle (G-car)**

- (a) A government-furnished vehicle (G-car), if available, should be the first resource considered when an employee's official travel requires an automobile.

**Note:** An uncompensated judiciary employee is not authorized to operate a G-car. **See:** § 455.30 (Volunteers).

- (b) When an employee chooses to use a privately owned vehicle (POV) instead of an available government-furnished vehicle, reimbursement will be limited to the lower GSA mileage rate when a government-furnished vehicle is available. **See:** Privately Owned Vehicle (POV) Mileage Reimbursement Rates on the GSA website.
- (c) If an employee is in an accident while driving a government-furnished vehicle, he or she should:
  - Obtain a police report, if possible;
  - Report the accident to the authorizing official;
  - Report the accident to GSA's Accident Management Center; and
  - Report the accident to the AO's Office of the General Counsel.

**Note:** Employees should also refer to additional instructions in the government-furnished vehicle's GSA Fleet Vehicle Accident Kit.

#### **§ 440.20.10 Reimbursable Expenses While Using a Government-Furnished Vehicle**

- (a) Employees may be reimbursed for parking, ferry, toll (e.g., road, bridge, tunnel), and similar charges while operating the government-furnished vehicle.
- (b) Employees must use the GSA fleet cards, assigned to each government-furnished vehicle, to cover the vehicle's operating expenses (e.g., fuel).
- (c) Employees may not be reimbursed for mileage for operation of the government-furnished vehicle.

#### **§ 440.20.20 Government-Furnished Vehicle at Employee Residence**

- (a) An employee must receive authorization from the employing judiciary organization to take a government-furnished vehicle to the employee's residence consistent with locally established policy.
- (b) A government-furnished vehicle may not be used for personal reasons.
- (c) For guidance on potential tax consequences, **see:** Guide, Vol. 13, § 1250.30 (Taking Government-Furnished Vehicles to Employee's Residence).

## § 440.25 Privately Owned Vehicle

- (a) Employees should consider the availability of a government-furnished vehicle before using a POV. **See:** § 440.20 (Government-Furnished Vehicle (G-Car)).
- (b) When necessary and determined to be in the best interest of the judiciary, an authorizing official may approve the use of a POV.

### § 440.25.10 Privately Owned Automobile

- (a) Travelers using a privately owned automobile for official travel may be reimbursed mileage at the applicable GSA mileage rate. **See:** Privately Owned Vehicle (POV) Mileage Reimbursement Rates on GSA's website.

- (1) Mileage claims may be based on the distances shown by a standard online mapping application.
  - (2) The travel voucher must show the points between which official travel was performed, the total mileage claimed, and the dates of travel.

**Note:** Probation officers using the Field App may, absent a significant personal deviation during the day, record the starting and ending mileage. It is not necessary to log the starting and ending mileage for each stop.

- (3) When a traveler departs from his or her residence, goes to a temporary duty station, and returns to his or her residence, mileage reimbursements are based on round-trip mileage, and deductions should generally not be made based on the traveler's daily commute.
    - (A) Local travel policies, however, may limit mileage reimbursements if the authorizing official determines limitations are in the best interest of the judiciary.
    - (B) Travelers must be advised of any limitations before beginning official travel.
  - (4) A traveler may be reimbursed round-trip mileage at the applicable GSA mileage rate to and from common carrier terminals (e.g., airport) when driven by another person in a POV, if mileage is limited to the direct route.

- (b) Travelers may also be reimbursed for parking, ferry, toll (e.g., road, bridge, tunnel), and similar charges while operating a POV for official purposes.
- (c) When a traveler uses a POV for official travel for a one-way distance of more than 500 miles, claims for reimbursement are limited to the lesser of the actual reimbursable POV expenses and subsistence or the constructive cost of travel, as provided in § 410.50 (Constructive Cost of Travel). **Note:** When a traveler or a group of travelers wants to drive distances over 500 miles one-way, the constructive cost may consider overall costs and savings of multiple travelers within one POV (i.e., overall costs to the judiciary). If such an arrangement is authorized by the authorizing official, each traveler's voucher must reference the other travelers and the constructive cost analysis.

#### **§ 440.25.20 Multiple Travelers to Same Destination**

- (a) Travel by POV may be advantageous to the judiciary when two or more individuals travel together.
- (b) Only the owner of the vehicle may claim reimbursement for POV mileage. Owners and passengers may not claim separate expenses covered by the POV mileage reimbursement (e.g., fuel).
- (c) The owner may claim POV expenses between the starting point of the trip and the locations where passengers assemble or disembark. **See:** § 420.20(a)(1).
- (d) Passengers may claim taxi or ridesharing service (e.g., Uber; Lyft) costs, mileage, or other costs incurred for travel to and from the assembly points. **See:** § 420.20(a)(1).
- (e) The names of passengers should be listed on the vehicle owner's travel voucher. Conversely, passengers should notate on their voucher the individual with whom they rode.

#### **§ 440.25.30 Monthly Parking at the Official Duty Station for Probation Officers, Pretrial Services Officers, and Federal Public and Community Defender Personnel**

- (a) The authorizing official may authorize the reimbursement of parking fees, for the days they use their POV to travel on official business, to the following individuals who pay for monthly parking at their official duty station:
  - probation officers,
  - pretrial services officers,
  - federal public and community defenders,

- assistant federal public and community defenders, and
  - federal defender organization investigative staff
- (b) To determine the amount of the reimbursement, the employee should:
- (1) divide the days he or she uses his or her POV for official business by the number of workdays in the month; and
  - (2) multiply the result times the monthly parking rate.

**Example:** If an employee uses his or her POV for official travel for 12 days during a month that has 20 workdays, the employee will be reimbursed 12/20 of the monthly parking rate.

- (c) The employee must include a parking receipt, clearly indicating the amount and period covered by the charge, with any claim for reimbursement.

#### **§ 440.25.40 Privately Owned Motorcycle**

Travel by privately owned motorcycle is reimbursable at the applicable GSA mileage rate, with the same allowances and limitations as a privately owned automobile. **See:** § 440.25.10 (Privately Owned Automobile)

#### **§ 440.25.50 Privately Owned Airplane**

- (a) Travel by privately owned airplane is reimbursable at the applicable GSA mileage rate, plus airplane parking, landing, and tie down fees, not to exceed the applicable City Pair YCA fare for the owner (and other accompanying travelers in official travel status).
- (b) If two or more employees are traveling to the same TDY location in the same privately owned airplane, only the employee who owns the aircraft is eligible to claim POV expenses.

#### **§ 440.30 Rental Vehicle**

- (a) Employees should consider the availability of a government-furnished vehicle before using a rental vehicle. **See:** § 440.20 (Government-Furnished Vehicle).
- (b) If local transit travel (e.g., subway, light rail) is feasible within a major metropolitan area, a rental vehicle should not be used unless local transit transportation would be unduly burdensome, less cost effective, or unsafe.
- (c) When necessary and determined to be in the best interest of the judiciary, an authorizing official may approve the use of a rental vehicle.

- (d) A traveler may not rent a vehicle from another employee or member of the traveler's family.

#### **§ 440.30.10 Selecting the Class of Rental Vehicle**

- (a) When a rental vehicle is authorized, a traveler should generally obtain the most economical vehicle available that is suitable for official business. Except as the provided in paragraph (b) below, the cost of a vehicle, regardless of size or class, may not exceed the cost of a full-sized car.
- (b) An authorizing official may approve, in advance, an upgrade to a larger or premium vehicle that will cost more than a full-sized car under the following circumstances:
  - Multiple travelers are traveling together in the rental vehicle;
  - A traveler must accommodate large amounts of judiciary equipment;
  - A traveler has a physical disability or medical necessity; or
  - Hazardous driving conditions exist.

#### **§ 440.30.20 Federal Government Rentals**

- (a) Most national rental companies offer federal government rentals, negotiated in the DoD U.S. Government Car Rental Agreement. These rentals provide special daily flat-rates with no mileage restrictions to all federal government travelers on official travel.
  - (1) The cost of collision damage waiver or insurance is included in the federal government rental. The traveler must always decline the option to purchase a separate collision damage waiver insurance, as it is not reimbursable.
  - (2) Rental vehicles under this agreement authorize multiple drivers in official travel status, if properly licensed, without additional charges. Those additional drivers need not be listed on the rental documents.
  - (3) Federal government rentals, whether booked through a TMC or directly from a car rental agency, will include the "Government Administrative Rate Supplement (GARS)" or use a term similar to "GOVT RATE." When picking up the vehicle, the travelers should ensure their rental agreement includes GARS or a term similar to "GOVT RATE."
- (b) Travelers should use a federal government rental. If, however, a federal government rental is not available, travelers:

- must use the least expensive reasonably available commercial rental rate; and
- are strongly encouraged to use an IBA to benefit from the protections offered by Citi while on official travel.

#### **§ 440.30.30 Accidents or Damage to a Rental Vehicle During Official Travel**

- (a) If a traveler is in an accident with a rental vehicle, they should:
  - Obtain a police report, if possible;
  - Contact the rental car company directly;
  - Report the accident to the authorizing official; and
  - Report the accident to the AO's Office of the General Counsel.
- (b) If the traveler used his or her IBA to rent the vehicle, he or she should also immediately call the customer service number on the back of his or her IBA card to report the accident and receive further instructions.
- (c) If the traveler did not get a government rental nor use his or her IBA (and thus is not covered by collision damage waiver or collision damage insurance), the traveler should also advise the rental car company to submit any damage-connected claims directly to the AO's Office of the General Counsel.
  - (1) The AO's Office of the General Counsel will evaluate such claims case-by-case.
  - (2) Since the judiciary potentially may not reimburse damage costs, travelers are encouraged to use a federal government rental or an IBA to ensure they do not incur non-reimbursable expenses.

#### **§ 440.30.40 Reimbursable Expenses While Operating a Rental Vehicle**

- (a) Travelers may be reimbursed for gas or diesel fuel, as well as parking, ferry, toll (e.g., road, bridge, tunnel), and similar charges while operating a rental vehicle for official purposes.
- (b) Travelers may not claim reimbursement for:
  - (1) collision damage waiver or collision damage insurance (**see:** § 440.30.20(a)(1) (Federal Government Rentals));
  - (2) pre-paid fuel options;

**Note:** If it is not possible to refuel a rental vehicle safely (e.g., poorly lit area), the vehicle may be returned without refueling.

Refueling charges are reimbursable with a statement of the circumstances on the employee's voucher.

- (3) POV mileage;
- (4) violations (e.g., traffic, parking), including any associated late fees;
- (5) GPS or navigation options, unless official duties require the traveler to traverse extremely remote locations without clearly marked road signs or widespread cellular service (e.g., tribal lands); or
- (6) additional costs (e.g., fuel, parking) incurred for the personal use of a rental vehicle.

#### **§ 440.35 Taxi, Ridesharing, Shuttle Service**

- (a) When authorized, transportation expenses for official travel are reimbursable for the usual fare plus a reasonable tip for a taxi, rideshare service (e.g., Uber, Lyft), shuttle service, or other transportation service, in the following situations.
  - (1) At the official duty station
    - (A) From the traveler's residence or other authorized point of departure (e.g., residence or duty station to the airport);
    - (B) To the traveler's residence or other authorized point of return, (e.g., airport to the residence or duty station);
    - (C) From the traveler's residence to the duty station on the day of departure for an official TDY location that requires at least one night's lodging; or
    - (D) To the traveler's residence from the duty station on the day of return from an official TDY location that required at least one night's lodging.
  - (2) At the official TDY location
    - (A) From the TDY common carrier terminal to the place of lodging or place of official business and return;
    - (B) To, from, and between places of lodging and official business;
    - (C) Between places of official business; or

- (D) To obtain meals at the nearest available place when the nature and location of the official business or the lodging at a TDY location are such that meals cannot reasonably be obtained there.
    - (i) The traveler must explain on his or her travel voucher why such transportation was necessary.
    - (ii) The judiciary organization should ensure that the traveler has a valid reason for incurring travel expenses to obtain a meal.
- (b) Travelers should use courtesy transportation services (e.g., hotel shuttle buses) to and from a place of lodging when available at no cost (or at a lower cost than alternative travel) and their use does not unreasonably interfere with the traveler's schedule. A reasonable tip to the driver may be reimbursed.
- (c) When one traveler pays the taxi or ridesharing service fare for two or more travelers sharing transportation, the person who paid the full fare may claim reimbursement. The other travelers must be listed on the claimant's voucher. Use of larger vehicles (e.g., Uber XL) may be authorized to accommodate several passengers.
- (d) Ridesharing services provide several tiers of vehicle and sharing options. Use of lower cost options is encouraged, however, in the interest of safety, pooling with unknown individuals is generally discouraged. Use of luxury or premium options (e.g., Uber Black) is not considered prudent and is not reimbursable.
- (e) Discounted government rates offered by ridesharing services (e.g., Uber, Lyft) must only be used when the traveler is on official travel and for official business purposes.

#### **§ 440.40 Local Transit Travel**

- (a) Authorizing officials may authorize local transit travel (e.g., subway, light rail).
- (b) Authorizing officials should encourage the use of local transit transportation, when feasible.
- (c) If local transit transportation is feasible, a rental vehicle should not be used unless local transit transportation would be unduly burdensome, less cost effective, or unsafe.

## **§ 440.45 Rail or Bus Travel**

Authorizing officials may authorize rail or bus travel when it is determined to be advantageous to the judiciary based on cost and other relevant factors (e.g., overall travel time; availability and cost of ground transportation).

### **§ 440.45.10 Selecting Appropriate Class of Rail Fare**

- (a) In general, travelers should use the lowest class accommodations available. Exceptions may be made to accommodate a traveler for reasons of health or physical disability.
- (b) Authorizing officials may authorize the use of extra-fare train service (e.g., Acela) when it is determined to be advantageous to the judiciary.

### **§ 440.45.20 Travel by Train as Personal Preference**

If travel is performed by train rather than air due to personal preference, reimbursement will be limited to the constructive cost of airfare (using the applicable City Pair YCA fare, when available). **See:** § 410.50 (Constructive Cost of Travel).

## **§ 440.50 Maritime Travel**

- (a) Except for travel between two points served by ferries, maritime travel is not generally advantageous to the judiciary.
- (b) If travel is performed by ship, reimbursement will be limited to the constructive cost of airfare (using the applicable City Pair YCA fare, when available). **See:** § 410.50 (Constructive Cost of Travel).

## **§ 445 Other Reimbursable TDY Expenses**

- (a) Other reasonable and necessary business expenses, excluding those expenses provided in the daily M&IE allowance, may be reimbursable if they are incurred in the interest of the judiciary. These include:
  - (1) Official telephone calls and other communications, each marked as “official” on the voucher.
  - (2) Personal communications expenses
    - (A) Travelers are expected to use their personal devices (e.g., cell phone, tablet) for personal communications when they are on official judiciary travel, except in the following circumstances:

- (i) In the rare instance where a traveler does not have a personal communication device available, or performs TDY in a location where cellular service, WiFi, or other methods of reception are unavailable, the traveler may be reimbursed for the expense of personal communications up to \$5 per day.
    - (ii) A traveler who travels to or from an OCONUS location for a TDY assignment may be reimbursed for the expense of personal communications up to \$10 per day.
  - (B) Each communication expense should be itemized and identified as a personal communication expense.
  - (C) At their discretion, authorizing officials may require prior authorization or documentation for all communication expenses.
- (3) Baggage fees
- (A) Tips to porters and baggage handlers for transporting baggage.
  - (B) The cost for one checked bag, not to exceed the standard weight and size limit.
  - (C) Excess baggage fee (e.g., more than one checked bag; baggage over the standard weight limit) with **prior** authorization, required for official purposes, and subject to the following restrictions:
    - (i) Excess baggage fees for bulky personal items (e.g., golf clubs), other than those required to accommodate a health or medical necessity, are not reimbursable.
    - (ii) Absent bulky materials or equipment for official purposes (e.g., binders; computer equipment), excess baggage fees should **not** be authorized unless travel is anticipated to exceed 10 consecutive days.
  - (D) Charges and tips for temporary storage of baggage.
- (4) Supplies, such as paper, batteries, and other incidental office supplies for official business, totaling \$250 or less per voucher.

Typically, supplies are purchased through a procurement process; therefore, **receipts are required regardless of amount.**

- (A) Employees requiring items over \$250 should contact the procurement department of their employing judiciary organization so that such expenses can be addressed through the standard procurement process.
  - (B) Employees whose travel is funded by a judiciary organization other than their employing judiciary organization must contact the applicable authorizing official before purchasing such supplies.
- (5) Business services incurred for official business, including costs associated with using computers, internet connection, printers, photocopiers, fax machines, and scanners.
- (6) Laundry, dry cleaning, and pressing during CONUS TDY travel are reimbursable, subject to the following:
- (A) The traveler must obtain prior authorization for the expense. **Note:** Authorizing officials should use discretion when authorizing these expenses and consider the cost savings of laundry, dry cleaning, and pressing expenses versus excess baggage fees.
  - (B) The traveler must be in CONUS TDY status for a minimum of four consecutive nights. **Note:** Travelers are not authorized to claim laundry, dry cleaning, pressing or similar expenses for OCONUS or foreign travel. These expenses are included in the daily M&IE allowances for OCONUS locations.
  - (C) The traveler may only claim reimbursement for expenses incurred during the trip, except for the last day of the TDY assignment.
  - (D) Reimbursement is limited to actual expenses, not to exceed \$10 multiplied by the consecutive number of nights. For example, a consecutive ten-night stay would be limited to \$100 in actual expenses.
  - (E) Receipts are required for all laundry, dry cleaning, and pressing purchases, **regardless of amount**, claimed for reimbursement (except when using coin-operated machines where receipts are not available).

- (7) Transaction fees charged by a TMC (or other travel agencies, limited to the highest full service booking fee charged by the TMCs) for services related to official business. **See:** § 415 (Travel Management Center).
- (b) If a traveler anticipates incurring miscellaneous expenses that are not typically allowable, the traveler should contact the authorizing official **before** incurring the expenses.

## § 450 Non-Reimbursable Travel and Travel-Related Expenses

### § 450.10 Expenses Not Eligible for Reimbursement

- (a) Appropriated funds may not be used for personal expenses, generally including:
  - (1) entertainment expenses, including entertainment provided in conjunction with a conference, meeting, or other similar event;
  - (2) violations (e.g., traffic, parking), including any associated late fees;
  - (3) pet expenses (e.g., boarding, house-sitting);
  - (4) alcoholic beverages;
  - (5) valet parking, unless this is the only viable parking option or compelling accommodation is necessary;
  - (6) expenses related to mechanical failure of a POV;
  - (7) access fees related to airline clubs and lounges;
  - (8) lost, stolen, or damaged personal property;
  - (9) insurance (e.g., travel cancellation, collision damage waiver);
  - (10) Transportation Security Administration's (TSA) PreCheck or Global Entry, CLEAR, passports, or other related documentation fees;  
  
(**Note:** Judges, however, are eligible to participate in TSA's PreCheck program free of charge. **See:** TSA PreCheck Trusted Traveler Program for Judges Fact Sheet.)
  - (11) baggage fees for personal items (e.g., golf clubs, skis) not related to official travel (**see:** § 445(a)(3) (Baggage Fees));

- (12) taxes and gratuity (tips) for meals when reimbursed on a non-actual expense basis, which are included in the M&IE allowance (**see**: § 435.20(a) (Daily M&IE Allowance)); and
  - (13) tips for housekeeping, which are included in the M&IE allowance.
- (b) Registration fees for conferences, training, courses, etc., must be procured (e.g., purchase card, purchase order) and charged to BOC 2543. These fees are **not** reimbursable to the employee as a travel expense (i.e., on a travel voucher) or charged to BOC 2120 or 2125. **See**: Budget Object Code (BOC) Reference Sheet.

### § 450.20 Meetings or Conventions of Societies and Private Associations

- (a) In general, appropriated funds may not be used to cover travel expenses, membership fees or dues, registration fees, and any other expenses for an employee to attend a meeting or convention of a society or private association.

**Note:** Attendance or participation in meetings of private associations such as the American Bar Association, court clerks' associations, U.S. Court Reporters Association, and other similar associations and societies does not constitute the performance of official business.

- (b) Regardless of this general prohibition, employees may be authorized reimbursement for the expenses of travel to attend such an event under these exceptions:
- (1) Travel is reimbursable when the Chief Justice, the chief judge of the applicable court of appeals, the chair of a committee of the Judicial Conference, the AO Director, the USSC Chair, or the FJC Director designates an employee to attend or participate in an official capacity as a representative of the judiciary.
  - (2) Reasonable travel expenses and registration fees may be authorized to attend a specific presentation, workshop, or other portions of a meeting or convention if it constitutes a learning and development activity. If it is consistent with Guide, Vol. 12, § 1145.20(b)(1) (Non-Federal Government Sources), then travel expenses may be reimbursable as follows:
    - (A) The authorizing official may authorize reimbursement of lodging, M&IE, and other miscellaneous expenses, consistent with these regulations.

- (B) If the program meets the criteria in Guide, Vol. 12, § 1145.20(b)(1) (Non-Federal Government Sources), but more than half of a day, other than a travel day, is not devoted to approved learning and development (i.e., program material that is designated as official or job related), the employee is not entitled to M&IE for that day. **See:** § 490.30(a) (Subsistence for Combined Travel).
- (C) Transportation expenses to and from training locations are fully reimbursable as official travel as provided in this chapter and should not be prorated.

### **§ 450.30 Investitures, Memorial Services, and Other Similar Events**

- (a) In general, travel expenses incurred to attend investitures, memorial services, funerals, portrait hangings, courthouse ground-breaking and dedication ceremonies, and similar functions are not reimbursable.
- (b) Regardless of this general prohibition, employees may be authorized reimbursement for the expenses of travel to attend such an event under these exceptions:
  - (1) The chief judge designates a CUE to attend an event as a representative of the court;
  - (2) The chief judge authorizes one or more employees to attend an event for the purpose of coordinating the logistics for the event; or
  - (3) The chief judge, AO Director, FJC Director, or USSC Chair designates official representatives (no more than two) to attend the funeral or memorial service of a judge or employee.

### **§ 450.40 Official Court Reporter Travel for Expedited Transcripts**

Official court reporters may not claim reimbursement for travel expenses incurred while assisting another reporter to produce daily or expedited transcripts or handle backlogs.

## **§ 455 Special Categories of Travelers**

### **§ 455.10 Jurors (Veniremen, Petit, Grand)**

#### **§ 455.10.10 Transportation Expenses Within CONUS**

- (a) A transportation allowance, equal to the rate established in § 440.25.10(a) for payment to judiciary staff in travel status using privately owned automobiles, will be paid for the distance traveled to and from a juror's

residence, using the shortest practical route, during a juror's term of service. **See:** Privately Owned Vehicle (POV) Mileage Reimbursement Rates on GSA's website.

- (b) **Exception:** A grand juror who travels to district court under a summons may be paid the actual, reasonable costs of travel by aircraft when travel by other means is not feasible, and when certified by the chief judge of the district court in which the grand juror serves. 28 U.S.C. § 1871(c)(5).
- (1) Government contract fares should be used when available. **See:** § 440.15.15 (GSA City Pair Airfare (Government Contract Fares)). To use these fares, the court's CBA must be used for payment. For guidance on CBAs, **see:** § 470.10.20 (Centrally Billed Account (CBA)) and Guide, Vol. 19, Ch. 6 (Government Travel Card Program).
- (2) Airfare must be purchased through a contracted TMC or directly from the airline. Non-contract travel agencies may not be used. For guidance on the judiciary's TMCs, **see:** § 415 (Travel Management Center).

#### **§ 455.10.15 Transportation Expenses Outside CONUS**

The travel expenses allowed under § 455.10.10 will apply to juror travel to a district or bankruptcy court under summons in an area outside of the CONUS, except that the judge or clerk of court may, at their discretion, authorize the payment of actual, reasonable transportation expenses based on:

- Due regard for the mode of transportation;
- The availability of alternate modes; and
- The shortest practical route between residence and court.

**See:** 28 U.S.C. § 1871(c)(4).

#### **§ 455.10.20 Public Transportation**

- (a) A juror who needs to use public transportation (e.g., bus, subway, commuter train) to travel to and from court, may be paid, at the discretion of the clerk of court, the actual reasonable expense of such public transportation, when the full cost, on account of the short distance traveled in miles, is not met by the transportation expenses allowable under § 455.10.10. **See:** 28 U.S.C. § 1871(f).
- (b) For purposes of this section, "public transportation" does not include a taxi or ridesharing service (e.g., Uber, Lyft), unless in an emergency the clerk

of court specifically authorizes the use of such transportation as essential to the expeditious performance of a juror's duties.

#### **§ 455.10.25 Transportation After Normal Business Hours**

- (a) A juror who is required to remain at the court beyond the court's normal business closing hour for deliberation or any other reason, may be transported to the juror's residence or temporary lodging in a manner directed by the clerk of court or by order of the court, and paid from funds authorized for payment of jurors. **See:** 28 U.S.C. § 1871(f).
- (b) Under these circumstances, a juror may be authorized to take a taxi or ridesharing service (e.g., Uber, Lyft) to the juror's residence or temporary lodging and will be reimbursed for the fare.
- (c) Transportation provided to a juror under this section is in lieu of other travel allowances authorized under these regulations.

#### **§ 455.10.30 Tolls**

Tolls for roads, bridges, tunnels, and ferries will be paid in full to jurors incurring such expenses, if incurred by jurors when using the shortest practical route from their residences to the court. **See:** 28 U.S.C. § 1871(c)(3).

#### **§ 455.10.35 Parking Fees**

- (a) Reimbursement to Individual Jurors
  - (1) At the discretion of the clerk of court, and consistent with established policy or orders of the court, reasonable parking fees may be paid to jurors incurring such expenses when a juror presents proof, or self-certification, of the parking fee incurred. **See:** 28 U.S.C. § 1871(c)(3).
  - (2) The court may, as a matter of policy, establish a maximum daily parking rate, regardless of the actual parking expenses incurred.
  - (3) A juror parking at a parking meter or at a parking facility that does not issue parking receipts, may be reimbursed based on the juror's written certification.
- (b) For relevant regulations covering the arrangement of juror parking in judiciary-owned or leased parking lots, **see:** Guide, Vol. 16, § 630.70.10.

**§ 455.10.40 Subsistence Allowances – Conditions Under Which Allowance Is Granted**

- (a) The clerk of court may allow a juror to receive a travel subsistence allowance if, exercising his or her discretion, the clerk of court determines that travel to the juror's residence appears impracticable.
- (b) In making such a determination, the clerk of court should consider such factors as:
  - travel distance,
  - travel time,
  - travel conditions, and
  - time at which jurors are excused.
- (c) Once this determination is made, a travel subsistence allowance is owed to the juror.
- (d) When an overnight stay is authorized by the clerk of court, a juror will be paid a travel subsistence allowance as provided in § 455.10.45.
- (e) The subsistence allowance for the day en route home — the last day of the juror's service — will be the full M&IE rate applicable to judiciary staff.

**§ 455.10.45 Rates for Areas Within CONUS**

- (a) For travel within CONUS, when an overnight stay is required, a subsistence allowance will be paid to a juror using the GSA Per Diem Rates. The clerk of court may require a juror to submit a lodging receipt.
  - (1) If the court location — or the county or parish in which it resides — is not listed on the GSA website, the standard CONUS daily M&IE allowance is used.
  - (2) Hotels and other places of lodging may, at their discretion, offer government rates to jurors.
- (b) Jurors staying with a friend or relative should be paid as provided in § 455.10.55.
- (c) At the discretion of the authorizing official, jurors may be reimbursed for subsistence using one of the following three methods:
  - the GSA locality per diem allowance;
  - the actual lodging expense incurred plus a daily M&IE allowance; or
  - actual expenses of subsistence.

- (1) Although the GSA locality per diem allowance method is not authorized for judiciary staff not serving as jurors, authorizing officials may use this method for juror reimbursement.
- (2) In general, jurors may not claim actual expenses of subsistence above the locality per diem rates. However, a court may submit a request to CSO for an exception to the locality per diem. CSO's Chief is authorized to approve reimbursement above the locality per diem rate in special or unusual circumstances.
  - (A) The court should submit the request to CSO as soon as the court is aware that government rate rooms are not available for subsistence jurors on a particular day(s), preferably before the jurors incur the lodging expense.
  - (B) Courts should email requests to [Per\\_Diem\\_Exception@ao.uscourts.gov](mailto:Per_Diem_Exception@ao.uscourts.gov), with the following information:
    - (i) District Court and courthouse location where jury trial will be conducted;
    - (ii) Name, email, and telephone of requesting judiciary employee;
    - (iii) Name(s) of affected juror(s), when possible;
    - (iv) Date(s) of lodging;
    - (v) Reasons for the request; and
    - (vi) Copy of results from a search of the website of a judiciary TMC that indicates unavailability of government rate lodging on the relevant date(s). Copies of searches of commercial travel websites may be substituted if the parameters of the search are set for government rate lodging, but TMC website search results are preferable.
    - (vii) If submitted after the juror(s) incur any lodging expense, staff should provide reasons for the delay of the request, any information concerning the unavailability of government rate lodging on the date(s) in question, and copies of the jurors' hotel receipts.

- (C) CSO will provide a letter in response to an exception request.
- (3) Lodging taxes are not part of subsistence.
  - (A) Jurors should take advantage of any exemption from lodging taxes when available. Courts should help jurors to obtain a tax exemption for the locality, where available.
  - (B) If tax exempt lodging is not available, the taxes may be claimed as a miscellaneous travel expense in addition to per diem.

#### **§ 455.10.50 Rates for Areas Outside CONUS**

In OCONUS areas, a juror required to stay overnight will be paid the rate prescribed by the DoD. **See:** DoD Per Diem Rates.

#### **§ 455.10.55 Juror Lodging with Friend or Relative**

- (a) If the juror is entitled to subsistence and stays with a friend or relative, reimbursement may not exceed the judiciary M&IE allowance.
- (b) The juror may not be reimbursed for any amount paid to the friend or relative without documented additional costs incurred.
  - (1) The presentation of a receipt is not considered sufficient documentation.
  - (2) Actual additional costs must be sufficiently detailed so that the court may determine if an allowance should be paid for lodging. **See:** § 430.60.30 (Lodging with Friends and Relatives).
  - (3) If the court determines to pay a lodging allowance, it will pay the lesser of the documented amount, or the commercial lodging rate at a reasonable establishment.
  - (4) The purpose of reimbursing jurors is to cover actual expenses. The underlying concern when a juror secures lodging from a private source is whether the expenses claimed were spent for the lodgings or were merely transfers of money arranged for the purpose of supporting a claim against the government, enriching both the juror and the host.

**§ 455.10.60 Emergency Payments for Jurors**

- (a) In emergency hardship situations, a clerk of court may pay for lodging and meals directly on behalf of a juror, not to exceed that juror's subsistence allowance entitlement, using a CBA or purchase card, respectively. A court may also disburse funds using the following methods to alleviate emergency hardships:
  - (1) For guidance on petty cash funds, **see:** Guide, Vol. 13, § 720 (Petty Cash Fund), and
  - (2) Courts may also use convenience checks to disburse emergency juror payments through the existing Judiciary Purchase Card Program. **See:** JNet's Convenience Checks for Emergency Jury Payments Cardholder Guidelines page.

**Note:** Convenience checks have a maximum threshold of \$250 per check. Additionally, Citi will apply a 2% fee per check.
- (b) These options should only be used in hardship situations where the court has determined that the juror could not serve unless such accommodations are paid directly by the court.

**§ 455.15 CJA Panel Attorneys and CJA Service Providers**

- (a) The CJA provides for reimbursement of actual expenses incurred. CJA panel attorneys and CJA service providers, therefore, must be reimbursed on an actual expense basis, not to exceed the allowances that would be reimbursable if the travel were performed by a judiciary employee, or a lesser amount as authorized by the presiding judge. **See:** Guide, Vol. 7, § 230.63.40(b) (Travel Expenses).
- (b) CJA panel attorneys and CJA service providers are entitled to — and are generally expected to use — government contract fares (e.g., City Pair fares). **See:** § 440.15.15(d) (GSA City Pair Airfare (Government Contract Fares)); 18 U.S.C. 3006A Note (Government Rates of Travel for Criminal Justice Act Attorneys and Experts).
  - (1) Government contract fares must be purchased with a government-issued card. **See:** § 440.15.15(c) (GSA City Pair Airfare (Government Contract Fares)). CJA panel attorneys and CJA service providers, therefore, must obtain prior approval from the clerk of court or FPD to obtain these fares.
  - (2) Clerks' offices or FPDOs may use their existing CBA or establish a separate CBA to purchase common carrier tickets for CJA panel

attorneys and CJA service providers. **See:** § 470.10.20(b) (Centrally Billed Account (CBA)).

- (c) Hotels and other places of lodging may, at their discretion, offer government rates to CJA panel attorneys and CJA service providers. A judiciary organization may use its CBA to pay for the nightly lodging expenses of CJA panel attorneys and CJA service providers.
- (d) For further guidance on CJA panel attorney and CJA service provider transportation and subsistence reimbursements, **see:** Guide, Vol. 7, § 230.63.40 (Travel Expenses).

### **§ 455.20 Contractors, Consultants, and Experts (Non-CJA)**

- (a) Transportation and subsistence expenses for non-CJA contractors (e.g., contract court reporters and contract court interpreters), consultants, and experts may only be reimbursed to the extent the terms and conditions of their contracts, including special clauses, authorizing payment consistent with these regulations.
- (b) Contractual restrictions take precedence over these regulations.
- (c) Non-CJA contractors, consultants, and experts must be reimbursed on an actual expense basis, generally not to exceed the allowances that would be reimbursable if the travel were performed by a judiciary employee, or a lesser amount as authorized by the judiciary organizations covered by these regulations.
- (d) Non-CJA contractors, consultants, and experts **are not** eligible for government contract fares (**see:** § 440.15.15(e) (GSA City Pair Airfare (Government Contract Fares))) or government rental vehicle rates.
- (e) Hotels and other places of lodging may, at their discretion, offer government rates to contractors, consultants, and experts. A judiciary organization should not use its CBA to pay for the nightly lodging expenses of contractors, consultants, and experts who are not carrying out responsibilities under the CJA.

### **§ 455.25 Invitational Travelers**

- (a) Invitational travelers include individuals who are either not employed or employed intermittently by the judiciary, consistent with 5 U.S.C. § 5703, and provide a direct benefit on the judiciary.
- (b) The judiciary may extend invitations to individuals to travel for several reasons, including to:

- interview candidates for select judiciary positions;
  - assist a judiciary employee with a disability;
  - speak at conferences, on an other-than-a-contracted basis;
  - attend meetings as subject matter experts;
  - provide training, on an other-than-a-contracted basis; or
  - fulfill a one-time official commitment to the judiciary.
- (c) An authorizing official of the sponsoring judiciary organization must provide an invitational traveler with a written travel authorization before travel begins. **Note:** Only the AO Director may authorize individuals performing invitational travel in connection with a meeting of a committee of the Judicial Conference. **See:** § 425.20(c)(10) (Authorizing Officials).
- (d) Invitational travelers must be reimbursed on an actual expense basis.
- (1) Reimbursement is generally not to exceed the allowances that would be reimbursable if the travel were performed by a judiciary employee, or a lesser amount as determined by the sponsoring judiciary organization.
- (2) In those instances where the invitational traveler is requested to attend a meeting with judges at a TDY location, however, the traveler may be reimbursed up to the maximum allowance that the judges may claim at that location.
- (e) Invitational travelers are entitled to — and are generally expected to use — government contract fares (e.g., City Pair fares).
- (1) Government contract fares must be purchased with a government-issued card. **See:** § 440.15.15(c) (GSA City Pair Airfare (Government Contract Fares)).
- (2) The sponsoring judiciary organization must use its existing CBA to purchase common carrier tickets for invitational travelers. **See:** § 470.10.20(b) (Centrally Billed Account (CBA)).
- (f) Hotels and other places of lodging may, at their discretion, offer government rates to invitational travelers. A judiciary organization may use its CBA to pay for the nightly lodging expenses of invitational travelers.

#### **§ 455.25.10 Select Nominees, Applicants, and Candidates for Judiciary Positions**

Consistent with 5 U.S.C. § 5706b, transportation and subsistence expenses may be reimbursed for:

- (a) Nominees for Article III, territorial district court, and Court of Federal Claims judgeships and persons in the concluding stages of the selection process for bankruptcy judgeships and magistrate judgeships when traveling to attend orientation programs sponsored by the AO, the FJC, or the respective court.
- (b) Applicants for the following positions, when invited by a judge or court for an interview:
  - bankruptcy judge,
  - magistrate judge,
  - circuit executive,
  - clerk of court,
  - district court executive,
  - senior staff attorney,
  - chief circuit mediator,
  - circuit librarian,
  - federal public defender,
  - bankruptcy administrator,
  - chief pretrial services officer, or
  - chief probation officer.
  - (1) FPD applicants must obtain authorization from DSO's Chief after being summoned by the judge for the interview.
  - (2) Generally, authorization for applicant travel should be limited to the final three candidates. The AO Director, however, may authorize travel of more than three candidates.
- (c) The three final candidates for the following positions, when authorized by the chief judge:
  - chief deputy or deputy chief (or equivalent second-in-command),
  - deputy-in-charge (or equivalent in-charge) of a divisional office,
  - satellite librarian, and
  - positions designated as hard-to-fill using the criteria in Guide, Vol. 12, § 655.40 (Definitions). **Note:** The CUE must include in the travel authorization the factors supporting designation of the position as hard-to-fill, and may request assistance from the AO's Human Resources Office, if needed.

#### **§ 455.25.20 Attendants and Assistants of Employees with Special Needs or Disability**

- (a) Travel and subsistence expenses are reimbursable for individuals designated to serve as an attendant or personal assistant to an employee

with disabilities, consistent with the judiciary's Reasonable Accommodation Guidelines, § 8 (Personal Assistants).

- (b) Attendants and assistants must be reimbursed on an actual expense basis, generally not to exceed the allowances that would be reimbursable if the travel were performed by a judiciary employee, or a lesser amount as determined by the sponsoring judiciary organization.

## § 455.30 Volunteers

### § 455.30.10 Uncompensated Judiciary Employees

- (a) Volunteers, as defined in Guide, Vol. 12, § 550.40 (Definitions) (e.g., Cooperative Education and Fellowship Program participants, externs, and interns), are generally not expected to travel.

**Note:** If you are unsure if a volunteer is an uncompensated judiciary employee, you may contact the Advisory Services Branch of the AO's Human Resources Office for assistance.

- (b) A supervising CUE or FPD (or applicable AO, FJC, USSC official, or judge) may authorize volunteers, excluding those working in chambers, to travel in exceptional cases. Such travel must be funded with local funds.
- (c) A supervising judge may authorize volunteers working in chambers to travel in exceptional cases. However, written authorization must also be obtained from the AO's Budget Division **before travel begins** to ensure that centrally held funds are available to fund the travel.
- (d) Travel authorizations must detail the necessity of the travel (i.e., travel is primarily for the benefit of the judiciary) and explain why the travel would not be primarily for the volunteer's benefit (e.g., academic credit, work experience, shadowing, mere observation).
- (e) Volunteers who are authorized to travel under paragraphs (b) and (c):
  - (1) may not be issued an IBA;
  - (2) may not operate a G-car, and
  - (3) are entitled to — and are generally expected to use — government contract fares (e.g., City Pair fares). Government contract fares must be purchased with the sponsoring judiciary organization's existing CBA. **See:**
    - § 440.15.15(c) and (d) (GSA City Pair Airfare (Government Contract Fares)), and

- § 470.10.20(b) (Centrally Billed Account (CBA)).)
- (f) Hotels and other places of lodging may, at their discretion, offer government rates to volunteers. A judiciary organization may use its CBA to pay for the nightly lodging expenses of volunteers authorized to travel.

#### **§ 455.30.20 Workforce Innovation and Opportunity Act of 2014 (WIOA) Participants**

Workforce Innovation and Opportunity Act of 2014 (WIOA) participants and Federal Work Study Program participants **may not** travel at judiciary expense. **See:** Guide, Vol. 12, § 550.50.30(b) (Limits on Use of WIOA Participants).

#### **§ 455.35 Staff of Part-Time Magistrate Judges**

- (a) A part-time magistrate judge must include transportation and subsistence expenses incurred by staff in his or her travel voucher. These expenses are payable only on an actual expense basis, not to exceed the allowances that would be reimbursable if the travel were performed by a judiciary employee.
- (b) Staff of part-time magistrate judges are **not eligible** for government contract fares (e.g., City Pair fares). **See:** § 440.15.15(e) (GSA City Pair Airfare (Government Contract Fares)).
- (c) Hotels and other places lodging may, at their discretion, offer government rates to staff of part-time magistrate judges. A judiciary organization **may not** use a CBA to pay for the nightly lodging expenses of part-time magistrate staff.

#### **§ 455.40 Employee Subpoenaed as a Witness**

- (a) Travel expenses must be reimbursed to an employee, consistent with these regulations and funded from the employing judiciary organization's budget, if the employee is subpoenaed as a witness in connection with:
- official duties performed as an employee of the judiciary; or
  - former employment with an executive or legislative agency.
- (1) When the employee's appearance as a witness concerns his or her prior executive or legislative branch employment, the employing judiciary organization must notify the Finance and Accounting Division of the AO's Finance and Budget Office, which will request reimbursement from the involved agency. **See:** 5 U.S.C. § 5751.
- (2) The employee must tender any amounts received as witness fees to his or her employing judiciary organization, consistent with

Guide, Vol. 13, § 320.60.50 (Fee Paid to Judiciary Personnel for Service as a Juror or Witness) and Vol. 12, § 920.30.50 (Fees and Expenses).

- (b) When an employee is subpoenaed as a witness on a matter not relating to official duties either in the judicial branch or another federal agency, the judiciary may not reimburse the travel expenses.

### **§ 455.45 Head of Select Judiciary Organizations**

- (a) The Directors and Deputy Directors of the AO and the FJC and the Chair of the USSC will be reimbursed for subsistence expenses consistent with Guide, Vol. 19, Ch. 2 (Travel Regulations for Justices and Judges).
- (b) Staff of the AO, FJC, and USSC may also be reimbursed consistent with Guide, Vol. 19, Ch. 2, for travel in addition to that described in §§ 430.20.30 and 435.10.20, when authorized in advance by the appropriate judiciary organization director or chair.

### **§ 460 Extended TDY Assignments**

An extended TDY assignment is a trip in which the traveler is assigned for official duty purposes in the same TDY location for 30 or more consecutive calendar days and is not considered a change of duty station.

#### **§ 460.10 Lodging for Extended TDY Assignments**

- (a) For extended TDY assignments, it may be financially advantageous to the judiciary for the traveler to obtain alternative arrangements to conventional lodging. In this case, the traveler can reasonably be expected to secure lodging and/or meals at a lower cost by using commercial lodging that caters to the long-term visitor (e.g., an extended stay unit with a kitchen offering a weekly or monthly rate).
- (b) For extended TDY assignments of six months or more, travelers should consider long-term lodging options (e.g., apartment).

#### **§ 460.20 Daily M&IE Allowances for Extended TDY Assignments**

Daily M&IE allowances for extended TDY assignments vary over the term of the assignment, as a percentage of the applicable GSA M&IE rate for the given locality.

- (a) For the first 30 days, 100% is reimbursable;
- (b) For days 31 through 60, reimbursement is limited to 75%; and

- (c) For days 61 and beyond, reimbursement is limited to 65%.

### **§ 460.30 Voucher Submission for Extended TDY Assignments**

At a minimum, a traveler on extended TDY assignment must submit a voucher once every 30 calendar days for the travel-related expenses associated with the extended TDY assignment. Judiciary organizations, however, may require employees to submit vouchers more frequently. **See:** § 475(d) (Claiming Reimbursement).

### **§ 460.40 Tax Implications of Extended TDY Assignments**

#### **§ 460.40.10 Taxability of Extended TDY Assignments**

- (a) Extended TDY assignments lasting one year or expected to last more than one year, have significant tax implications.
  - (1) If a TDY assignment is expected to last less than one year and is completed in less than one year, any reimbursement provided to the traveler is not considered income or subject to taxation.
  - (2) If a TDY assignment at a single location is expected to last more than one year, any reimbursement provided to the traveler is considered income and subject to taxation, regardless of whether the assignment lasts:
    - (A) more than a year; or
    - (B) less than one year.
- (b) Taxes will not be withheld from a traveler's reimbursements.

#### **§ 460.40.20 Extended TDY Tax Reimbursement Allowance**

An extended TDY traveler, whose reimbursements have been subjected to taxation, is eligible for reimbursement of substantially all income taxes paid. **See:** 41 CFR 301-11.603(b).

### **§ 465 Travel Under Special Circumstances**

#### **§ 465.10 Illness**

- (a) When an employee on official travel is incapacitated by an illness or injury that occurs for reasons other than the employee's own misconduct, the authorizing official may authorize the continued payment of subsistence (i.e., lodging and daily M&IE allowances) to the employee for up to 14 calendar days.

- (b) Should the period of illness or injury exceed 14 calendar days, the chief judge, AO Director, FJC Director, or the USSC Chair, may authorize, on a case-by-case basis, the continuation of subsistence payments for a longer period as is reasonable under the circumstances.
- (c) The authorizing official may also authorize:
  - (1) Reimbursement of non-emergency transportation costs (e.g., taxi, ridesharing service, rental vehicle fuel, mileage) to and from the nearest medical facility or hospital capable of treating the employee's illness or injury.
  - (2) Employee's return to his or her official duty station.
    - (A) In emergency situations, an employee may be reimbursed for the cost of return transportation to his or her official duty station or residence by a mode of travel that they would not have used ordinarily, such as an ambulance.
    - (B) The authorizing official may authorize transportation costs of a family member or medically necessary attendant traveling to or accompanying the employee from the TDY location. An employee is required to obtain a medical certification from a health care provider stating that this action(s) is warranted.
- (c) The travel voucher must include documentation about the illness or injury. The judiciary organization may also require a physician's statement to support the claim.

## **§ 465.20 Personal Emergency**

- (a) When an employee must discontinue official travel due to a personal emergency (e.g., death or injury to an immediate relative; hurricane, earthquake, flood, or other natural disaster at the employee's residence), the authorizing official may authorize reimbursement for transportation and subsistence associated with return travel to the employee's official duty station.
- (b) If the employee must travel to an alternate location to deal with an emergency (e.g., immediate relative's location), the authorizing official may authorize reimbursement of certain transportation expenses to the alternate location, followed by return travel either to the TDY location or official duty station, as is most appropriate under the circumstances.

- (1) Reimbursement is limited to the cost of transportation, in the most economical means, that would have been incurred had the traveler returned to the official duty station.
- (2) Should airfare be required to and from the alternate location, government contract fares (e.g., City Pair fares), IBAs, and CBAs may not be used.
- (3) The travel voucher must include documentation about the interruption of travel resulting in return to the official duty station or travel to an alternate location.

### **§ 465.30 Accident Resulting in Personal Injury or Property Damage**

When accidents occur during official travel and personal injury or property damage results, the judiciary may provide a remedy depending on a variety of factors. **See:** Guide, Vol. 20 (Administrative Claims and Litigation). The traveler should contact the AO's Office of the General Counsel for further guidance.

### **§ 465.40 Death in Travel Status**

If an employee dies while in travel status, the employing judiciary organization should contact AO's Court Human Resources Division (CHRD) and Finance and Accounting Division (FAD) staff for guidance to ensure compliance with 41 CFR chapter 303.

- (a) The employing judiciary organization must prepare a travel voucher, with supporting documentation, for the deceased employee.
- (b) The AO's CHRD and FAD staff will assist the judiciary organization in determining what death-related transportation expenses may be reimbursed.
- (c) Payments should be issued via U.S. Treasury check, made payable to the deceased employee or his or her estate. **See:** Guide, Vol. 13, § 1220.45 (Payments on Behalf of a Deceased Payee).

### **§ 465.50 Travel During a Continuing Resolution (CR)**

- (a) Travel arrangements may continue to be made during a CR, provided that adequate funding is available to cover anticipated travel expenses. Deferring non-essential travel, however, may help defer some expenses that can be redirected to meet more critical needs while operating under the CR.
- (b) Travelers who are in travel status when a CR expires (and a new continuing resolution is not in place) should seek direction from their

authorizing official on whether it is necessary to return to the official duty station. **See:** § 425.20(c) (Authorizing Officials).

- (c) Travelers are encouraged to purchase only City Pair fares or fully refundable tickets during a CR. This ensures that a refund will be available if a new CR is not signed and travel must be cancelled or altered.
- (d) Non-refundable airfare may only be purchased during a CR when the travel itinerary will be completed before the CR expires. **See:** § 440.15.25(b)(1) (Non-Refundable Airfares).

### **§ 465.60 Travel During a Lapse in Appropriations**

For travel guidance in the event of a lapse in appropriations, **see:** Guide, Vol. 13, § 230.50 (Lapse in Appropriations and Shutdown).

### **§ 465.70 Travel Using Chambers' Training Funds**

- (a) Chambers' training funds, provided under a general authorization, are available to fund certain learning and development events as well as related travel for eligible employees. For further guidance on eligible employees and subject matter, **see:** Guide, Vol. 12, § 1125.10(b) (General Authorizations), § 1125.20 (Limitations on Use of Funds), and Chambers Training Fund Fact Sheet.
- (b) While authorized travel funded with chambers' training funds is subject to the guidance provided in this chapter, there are funding limitations.
  - (1) The chief judge must decide how funds will be administered locally; funds can be tracked by individual chambers, by court unit, or at the district level for all chambers within a district.
  - (2) Authorizing officials should direct questions about the use of these funds to their AO Budget Division Analyst before authorizing travel for any judge or eligible employee.
  - (3) The certifying officer must ensure that the total funding used by the court from the general authorizations for judges and chambers staff learning and development and related travel does not exceed the amount specified in the annual allowance guidelines (i.e., certify and pay a voucher that exceeds the amount allocated).

## § 470 Paying Travel-Related Expenses

### § 470.10 Government Travel Card Program

#### § 470.10.10 Individually Billed Account (IBA)

IBAs are issued by Citi directly to judiciary employees, as authorized, to be used to pay for official travel-related expenses.

- (a) Judiciary organizations are encouraged to authorize employees traveling more than once per year to obtain an IBA.
  - (1) Law clerks, even if serving two years or less, are encouraged to obtain an IBA if they anticipate overnight travel.
  - (2) Contractors, consultants, volunteers, invitational travelers, and CJA panel attorneys and CJA service providers may not be issued an IBA.
- (b) An employee may use his or her IBA to pay for official travel-related expenses and seek reimbursement on a travel voucher (e.g., Form AO 1012). IBA charges are reimbursable to the employee, who must pay Citi directly.
  - (1) Employees are strongly encouraged, but not required, to use an IBA for official travel-related expenses. **Note:** An IBA and CBA are the only two methods of payment that airlines will accept for the purchase of government contract fares (i.e., City Pair fares). This is a GSA contract requirement with the airlines, not a judiciary requirement.
  - (2) Use of an IBA affords certain travel protections and benefits to the employee, including the ability to:
    - obtain cash advances, for official travel purposes, through an automated teller machine (ATM) withdrawal;
    - automatically receive rental vehicle insurance coverage for collision or theft;
    - purchase government contract fares;
    - delay payment (i.e., goodwill dispute) on certain travel-related expenses occurring well in advance of travel; and

- automatically avoid applicable hotel occupancy taxes in certain localities. **See:** GSA SmartPay website.
- (c) The employee may only use the IBA to pay authorized official travel-related expenses (i.e., expenses that can be claimed on the travel voucher). Employees **may not** use an IBA to:
- make personal purchases or ATM withdrawals for personal use;
  - pay for another traveler's meals, lodging, transportation, etc.;
  - pay for group meals; or
  - pay conference registration fees. (**Note:** Such fees must be procured. **See:** § 450.10(b).)
- (d) For further guidance on the IBA, including the application and management processes, **see:** Guide, Vol. 19, Ch. 6 (Government Travel Card Program).

#### **§ 470.10.20 Centrally Billed Account (CBA)**

CBAs are issued by Citi and managed by judiciary organizations for official travel-related expenses incurred on behalf of judiciary travelers.

- (a) The CBA is used to purchase common carrier tickets, lodging, or other eligible official travel-related expenses. The judiciary organization pays Citi directly for CBA charges (i.e., centrally billed transactions are not reimbursed to the traveler).
- (b) Court units and FPDOs may use their existing CBA or establish a separate CBA to purchase common carrier tickets for invitational travelers, volunteer employees, and CJA panel attorneys and CJA service providers. These travelers are entitled to — and are generally expected to use — government contract fares (e.g., City Pair fares). **See:** § 455 (Special Categories of Travelers).
- (c) For further guidance on the CBA, including the application and management processes, **see:** Guide, Vol. 19, Ch. 6 (Government Travel Card Program).

#### **§ 470.20 Personal Funds**

- (a) Generally, travelers are not prohibited from using personal funds (e.g., cash, personal credit or debit card) to pay for official travel-related expenses.

- (b) Travelers will only be reimbursed for their expenses once travel has concluded, and a voucher is submitted. In instances where travel will occur well into the future, a traveler using personal funds — as opposed to an IBA or CBA — must pre-pay certain expenses (e.g., airfare) and wait for reimbursement. **See:** § 440.15.40(a) (Advance Airfare Purchases).

### **§ 470.30 Travel Advances**

- (a) A travel advance is an advance of funds for certain anticipated out-of-pocket expenses incurred in connection with official travel.
- (b) Generally, a judiciary organization should not issue a travel advance unless it is the only means by which an employee can pay for official travel.
- (c) Travel advances must only be issued to employees for anticipated:
  - Meals and incidental expenses;
  - Miscellaneous transportation expenses (e.g., taxi and ridesharing service fares, parking fees, ferry fees); and
  - Fuel and other POV-related expenses generally covered by the mileage allowance.
- (d) A travel advance may not exceed an amount required to cover an employee's expenses for a 30-day period.
- (e) If travel is cancelled or postponed, an employee must return the travel advance within five business days.

#### **§ 470.30.10 IBA Cash Withdrawals**

- (a) An employee who has an IBA may, up to five days before beginning official travel and while in travel status, obtain travel advances from an ATM or bank.
- (b) Any fees incurred while using the IBA to obtain a travel advance are reimbursable.

#### **§ 470.30.20 JIFMS Electronic Funds Transfer (EFT) Travel Advances**

- (a) An employee may not be issued a travel advance if:
  - (1) the employee has an IBA card;

- (2) the employee's IBA card has been suspended or cancelled due to delinquency or misuse; or
  - (3) the employee is known to have delinquent and legally enforceable debts referred to the Treasury Offset Program (TOP). **Note:** A JIFMS EFT travel advance is subject to 100% offset through TOP. **See:** Guide, Vol. 13, § 1225 (U.S. Treasury Offset Program (TOP) and Vendor Payments).
- (b) A judiciary organization may not process a travel advance more than 10 business days before the employee's start of official travel.

#### § 470.30.30 Requesting a JIFMS EFT Travel Advance

- (a) An employee may request a travel advance using one of the following methods:
- (1) an Advance of Funds Application and Account (SF 1038) or a similar locally developed form; or
  - (2) a travel system.
- Note:** JETS will not accommodate travel advances. Judiciary organizations using JETS must track and settle travel advances outside of JETS.
- (b) For general guidance on approving, certifying, and disbursing travel-related payments, **see:** § 480 (Certifying Travel Payments).

#### § 470.30.40 Settling a JIFMS EFT Travel Advance

- (a) The settlement of a JIFMS EFT travel advance is initiated when an employee submits a travel voucher with supporting documentation.
- (1) An employee must submit a travel voucher to settle a travel advance within 90 days after the completion of official travel or separating from the judiciary, whichever is earlier.
  - (2) When allowable expenses exceed the travel advance, the judiciary organization must settle a travel advance and reimburse the employee for the difference.
  - (3) If the funds issued as a travel advance exceed an employee's allowable expenses, the employee must repay the unused portion of the advance to the applicable judiciary organization.

- (b) Each judiciary organization must have a local policy to review, monitor, and ensure the timely settlement of outstanding advances.
- (c) All travel advances that remain outstanding 90 days after the completion of travel must be referred to CHRD for collection.
  - (1) The judiciary organization must notify its assigned Payroll Services Branch team leader of the outstanding travel advance.
  - (2) CHRD will initiate debt collection procedures upon notification by the judiciary organization, **see:** Guide, Vol. 20, Ch. 6 (Debt Collection Under Title 5).
- (d) If an employee separates with an outstanding travel advance, the judiciary organization must immediately request CHRD to withhold an amount equal to the unsettled travel advance from the employee's final salary payment.
  - (1) The judiciary organization must send a written request to its assigned Payroll Services Branch team leader.
  - (2) The written notification must include the following information:
    - employee's name and identification number;
    - judiciary organization;
    - travel advance number;
    - payment date;
    - outstanding travel advance amount;
    - accounting code (Fiscal Year, Fund, Organizational Code and BOC); and
    - a brief explanation of the circumstances.

## § 475 Claiming Reimbursement

- (a) The traveler must submit all claims for reimbursement of his or her travel expenses on a travel voucher (e.g., Form AO 1012 (Travel Voucher), itemized invoice, or other similar travel form) or electronically through JETS.
- (b) A traveler should not claim the expenses of another traveler, even if the expenses were officially incurred by the other traveler.
- (c) The traveler must submit all claims to the appropriate financial department within 90 days after completion of travel (or at least every 30 days if on

extended TDY travel status). **See:** § 460.30 (Voucher Submission for Extended TDY Assignments).

**Note:** Travel-related expenses charged to an IBA that are not paid within 30 day or 60 days will result in suspension or cancellation of an IBA, respectively. Cardholders will need to pay expenses charged to their IBA (or initiate a goodwill dispute on the account, if applicable) to avoid suspension or cancellation, regardless of when they submit their voucher(s) for reimbursement.

- (d) If a traveler is unable to submit a voucher (i.e., substantiate expenses) within 90 days, the reimbursement must be classified as compensation and subject to tax withholding. **See:** Guide, Vol. 13, § 1230 (Reimbursements Under an Accountable Plan). To do this, financial staff must process the claim with the taxable sub-BOCs, as applicable, provided in Guide, Vol. 13, § 1230(d)(3)(C)(i) (JIFMS Sub-BOC Classifications for Reimbursements).

**Note:** 31 U.S.C. § 3702(b)(1) specifies that claims against the United States must be presented to the appropriate official within six years after the claim accrues. Unless an individual submits a claim (e.g., travel voucher) before the six-year period elapses, the claim will not be reimbursed.

## § 475.10 Documentation of Expenses

- (a) Generally, a traveler must submit itemized receipts for any individual expense of \$75 or more. A receipt will be considered adequate to support reimbursement if it shows the dollar amount, date, name of vendor, place, and itemization of expenditures (i.e., not bundled).

**Note:** Judiciary organizations may establish local policies that require travelers to submit receipts for additional individual travel-related expenses totaling less than \$75.

- (b) Itemized receipts are required for the following expenses, regardless of amount:
  - (1) Common carrier transportation;
  - (2) Checked baggage fees charged by a common carrier;
  - (3) Lodging;
  - (4) Meals reimbursed on an actual expense basis (e.g., same-day travel) (**see:** § 435.10.10(b) and § 435.10.20(b)).

- (5) Rental vehicle;
  - (6) Procurement of supplies, such as paper, batteries, and other incidental office supplies while on official travel (**see**: § 445(a)(4)); and
  - (7) Laundry, dry cleaning, and pressing during CONUS TDY travel (**see**: § 445(a)(6)).
- (c) If a receipt is not available (and a duplicate cannot be obtained), the traveler should complete Form AO 1012B (Missing Travel Receipt Report) and attach the form to the travel voucher.
- (d) Records and Documentation
  - (1) Electronic receipts and supporting documents, submitted with a voucher, are considered original documents; travelers are not required to maintain hard copies.
  - (2) Judiciary organizations are not required to maintain hard copies of vouchers and supporting documentation. **See**: Guide, Vol. 13, § 410.50(e) (In General).

## § 480 Certifying Travel Payments

- (a) For general guidance on approving, certifying, and disbursing travel-related payments, **see**: Guide, Vol. 13, Ch. 4 (Disbursing Appropriated Funds).
- (b) Approving or certifying officers are expected to question claims for reimbursement of expenses that are patently lavish or extravagant. They may also disallow or reduce claimed amounts that are not authorized by these regulations, that exceed limitations imposed, or that are not properly documented.
  - (1) If claimed amounts are disallowed or reduced, the traveler must be notified and provided with a detailed explanation.
  - (2) Any claimed amount, previously disallowed or reduced, that is later approved may be claimed on an amended or supplemental voucher.
- (c) Approving CUE and FPD Vouchers

- (1) Chief judges of appellate, district, and bankruptcy courts must approve or designate one or more other judges or officials to approve CUEs' travel vouchers.
  - (2) Chief judges of appellate courts must approve or designate an official to approve the travel vouchers of the FPD and bankruptcy administrators. The approving official may be another CUE or a CUE's deputy.
  - (3) In lieu of approving a CUE's or FPD's voucher or designating another judge or other official to do so, a chief judge may opt to review and approve a report of completed travel. If this method is adopted, the chief judge should sign the report and a copy of the signed report should be filed with the travel vouchers listed on the report.
- (d) Absent a local requirement, approving and certifying officers are not required to sign, digitally or otherwise, the voucher. All payment requests originating in JIFMS or JETS, however, must have first-level approval (i.e., approving officer) and second-level approval (i.e., certifying officer) recorded electronically in the applicable system.
- (e) It is recommended that all documentation supporting a certified travel-related payment be attached in JIFMS or JETS, which will serve as the official record copy. **See:** JIFMS 7.0.2: Acquisitions Procedure Guide 4.2.5 (Adding an Attachment). Any documentation maintained outside of JIFMS or JETS must be retained according to the applicable judiciary records disposition schedule. **See:** Guide, Vol. 10, § 620 (Records Disposition Schedules).

## § 485 Promotional Items and Frequent Traveler Benefits

- (a) A traveler may earn promotional items (e.g., frequent-flyer miles, upgrades, access to clubs, hotel rewards) as a result of official travel.
- (b) A traveler may retain and use these benefits for personal use or future official travel if they were obtained under the same conditions as those offered to the public and at no additional cost to the judiciary.
- (c) Travelers may not be reimbursed for transportation, lodging, or other travel-related expenses purchased with non-cash promotional benefits (e.g., points, miles).
- (d) A traveler may not select transportation, lodging, or other travel-related services based on anticipated promotional benefits or participation in a

specific frequent traveler program. Travel arrangements must be made based on the official business need and adhere to the prudent traveler rule. **See:** § 410.40 (Prudent Traveler Rule).

- (e) Common carriers may offer incentives (e.g., compensation in the form of a voucher for future use) to a traveler who will voluntarily give up his or her seat. The traveler may keep any compensation and use it for personal use if:
  - (1) the change will not interfere with the official TDY purpose; and
  - (2) the judiciary will not incur additional lodging, subsistence, or other costs associated with making the change.

## § 490 Combining Official and Personal Travel

- (a) When combining official and personal travel, **employees** must ensure that judiciary funds are not used for personal benefit (i.e., TDY travel must be financially neutral for employees).
- (b) An employee must obtain authorization from his or her authorizing official before arranging a trip that combines official and personal travel.
  - (1) An employee must schedule and route the official portion of his or her trip in a way that is the most direct and advantageous to the judiciary.
  - (2) The authorizing official must conclude that the personal portion is only incidental to the official purpose of the trip.
  - (3) If the travel is funded by another judiciary organization (e.g., AO, FJC, a different court unit), the local authorizing official must conclude that the employee's proposed itinerary complies with any restrictions placed in the funding organization's travel authorization.
- (c) An employee may not charge expenses associated with the personal portion of the trip to his or her IBA or employing judiciary organization's CBA.
- (d) A constructive cost analysis must accompany a claim for reimbursement (i.e., voucher) reflecting what the cost of the trip would have been had the employee traveled using the most direct route and most advantageous mode of travel. **See:** § 410.50 (Constructive Cost of Travel). Reimbursement is limited to the lesser of the actual expenses of travel, or the constructive cost of travel.

## § 490.10 Government Contract Rates for Combined Travel

### § 490.10.10 Airfare and Common Carrier

- (a) When an employee travels to a destination solely for personal reasons (i.e., no official duties will be performed at the destination), the employee may not use government contract fares on airlines and other common carriers (e.g., bus, rail).
- (b) If, however, an employee arrives at his or her designated TDY location before his or her authorized travel date or stays at that TDY location beyond his or her authorized departure date for personal reasons, the employee may use government contract fares on airlines and other common carriers (e.g., bus, rail), since the employee would not have deviated from the authorized route.
- (c) A traveler who deviates from the authorized route may not use government contract fares, IBAs, or CBAs for segments to alternate locations that are not associated with the official purpose of the trip.

**Example:** An employee is authorized to travel to and from his or her official duty station, Washington, D.C., to a TDY location in Houston, TX. If on the return trip, the employee arranges a flight to Washington, D.C., that includes a stop in Nashville, TN, for personal reasons, the employee's deviation will preclude the use of government contract fares (i.e., City Pair fares) for both segments of the return trip (i.e., Houston to Nashville; Nashville to Washington, D.C.). Government contract fares may be used, however, for the outbound segment from Washington, D.C., to Houston, TX.

### § 490.10.20 Lodging

- (a) Hotels and other places of lodging may, at their discretion, offer federal government rates to employees traveling solely for personal reasons.
- (b) Employees may not benefit from any lodging tax exemption during a personal stay.

### § 490.10.30 Rental Vehicles

- (a) An employee who uses a rental vehicle for personal reasons and, consequently, incurs additional costs (e.g., fuel), is personally responsible for those costs.

**Note:** Insurance provided under a federal government rental vehicle rate or afforded using the IBA to secure the rental may not cover an employee's personal liability.

- (b) When an employee combines official and personal travel with a rental vehicle, the employee may not use a rental vehicle rented under the DoD U.S. Government Rental Agreement for the personal portion of the trip. **See:** § 440.30.20 (Federal Government Rentals).

## § 490.20 Cancellations

### § 490.20.10 Cancellation for Combined Travel

- (a) Employees may not be reimbursed for any change or cancellation fees (e.g., transportation, lodging) incurred due to personal reasons.
- (b) **An employee must exercise extreme caution when adding personal travel to the start of an official trip.** If an employee arrives at his or her designated TDY location before his or her authorized travel date for personal reasons and the official purpose of the trip is cancelled (e.g., cancelled or rescheduled meeting; case settled), **the employee is not entitled to any reimbursement of travel or subsistence expenses.**

### § 490.20.20 Cancellation or Interruption of Personal Travel for Official Purposes

- (a) In rare instances, an employee may be needed for official duty that conflicts with planned personal travel.
  - (1) If the employee purchased non-refundable tickets or made non-refundable deposits, in connection with cancelled or rescheduled planned personal travel, the employee's authorizing official may authorize reimbursement for either the actual costs of the non-refundable item(s) or any applicable change fee.
    - (A) An employee may not alter plans or incur any cancellation expenses associated with personal travel without prior written authorization from his or her authorizing official.
    - (B) An unused portion of personal non-refundable tickets (e.g., credits), the cost of which are reimbursed by the judiciary, may be used for future official travel. The credit may not be used for future personal travel, even if the credit expires and cannot be used at all. **See:** § 440.15.30(d)(3) (Cancellation and Changes to Non-Refundable Airfares).
    - (C) If the employee can use the credit for future official travel and there is an associated change fee, the authorizing official may authorize reimbursement of the change fee when the employee incurs the change fee expense.

- (2) The employee may only be reimbursed for unavoidable actual losses incurred due to cancellations or rescheduling of interrupted personal travel. This may include costs of non-refundable item(s) purchased by the employee for his or her immediate family members.
- (b) Similarly, if an employee is required to interrupt his or her personal travel and either return to his or her official duty station or to another TDY location, the employee's authorizing official may authorize transportation and subsistence reimbursement from the personal travel location to the official duty station or the TDY location.
  - (1) If applicable, the authorizing official may authorize travel from the TDY location back to the personal travel destination point or the official duty station.
  - (2) The employee may use the government contract fares (i.e., City Pair rate) and his or her IBA or employing judiciary organization's CBA for this expense.

#### **§ 490.30 Subsistence for Combined Travel**

- (a) An employee is not entitled to daily M&IE allowances when on annual or compensatory leave for more than half the day while on official travel at a TDY location. **See:** § 435.40.10 (Annual or Compensatory Leave).
- (b) Daily M&IE allowances are authorized for Saturday and Sunday when official travel spans the weekend. If an employee takes eight hours of annual or compensatory leave on both Friday and Monday before and after a weekend, daily M&IE allowances may not be authorized for Saturday and Sunday. **Note:** This rule also applies to leave taken before and after holidays or other non-workdays.

#### **§ 495 Personal Property Damage**

For personal property damage during official travel, **see:** Guide, Vol. 20, Ch. 4, (Employees' Personal Property Claims).