

## § 301-53.5

gain frequent traveler benefits for personal use. (Also see §§ 301-10.109 and 301-10.110 of this chapter.)

### **§ 301-53.5 Are there exceptions to the mandatory use of contract city-pair fares and an agency's travel management system?**

Yes, the exceptions are in accordance with §§ 301-10.107 and 301-10.108 of this chapter for the mandatory use of a contract city-pair fare, and § 301-73.103 of this chapter for the mandatory use of a travel management system.

### **§ 301-53.6 Is a denied boarding benefit considered a promotional item for which I may retain compensation received from an airline whether voluntary or involuntary?**

A denied boarding benefit (e.g., cash, free ticket coupon) is not a promotional item given by an airline. See the provisions of § 301-10.116 of this chapter when an airline denies you a seat (involuntary) and § 301-10.117 of this chapter when you vacate your seat (voluntary).

## **PART 301-54—COLLECTION OF UNDISPUTED DELINQUENT AMOUNTS OWED TO THE CONTRACTOR ISSUING THE INDIVIDUALLY BILLED TRAVEL CHARGE CARD**

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AUTHORITY: 5 U.S.C. 5707; 40 U.S.C. 486(c); Sec. 2, Pub. L. 105-264, 112 Stat. 2350 (5 U.S.C. 5701 note).

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### **Subpart A—General Rules**

NOTE TO SUBPART A: Use of pronouns “I”, “you”, and their variants throughout this subpart refers to the employee.

### **§ 301-54.1 Is my agency allowed to collect undisputed delinquent amounts that I owe to a Government travel charge card contractor?**

Yes, upon written request from the contractor, your agency may collect, from your disposable pay, any undisputed delinquent amounts that you owe to a Government travel charge card contractor.

### **§ 301-54.2 What is disposable pay?**

Disposable pay is your compensation remaining after the deduction from your earnings of any amounts required by law to be withheld. These deductions do not include discretionary deductions such as savings bonds, charitable contributions, *etc.* Deductions may be made from any type of pay you receive from your agency, *e.g.*, basic pay, special pay, retirement pay, or incentive pay.

[FTR Amdt. 92, 65 FR 21366, Apr. 21, 2000]

### **Subpart B—Policies and Procedures**

NOTE TO SUBPART B: Use of pronouns “I”, “you”, and their variants throughout this subpart refers to the employee.

### **§ 301-54.100 Are there any due process requirements with which my agency must comply before collecting undisputed delinquent amounts on behalf of the charge card contractor?**

Yes, your agency must:

(a) Provide you with written notice of the type and amount of the claim, the intention to collect the claim by deduction from your disposable pay, and an explanation of your rights as a debtor;

(b) Give you the opportunity to inspect and copy their records related to the claim;

(c) Allow an opportunity for a review within the agency of its decision to collect the amount; and

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(d) Provide you with an opportunity to make a written agreement with the contractor to repay the delinquent amount of the claim.

### **§301-54.101 Can my agency initiate collection of undisputed delinquent amounts if it has not reimbursed me for amounts reimbursable under the applicable travel regulations?**

No, your agency may only collect undisputed delinquent amounts for which you have been reimbursed under the applicable travel regulations. However, if you have not submitted a proper travel claim within the timeframe re-

quirements of §301-52.7 of this chapter, and there are no extenuating circumstances, your agency may collect the undisputed delinquent amounts based on the amounts charged on the travel charge card.

### **§301-54.102 What is the maximum amount my agency may deduct from my disposable pay?**

As set forth in Public Law 105-264, 112 Stat. 2350, October 19, 1998, the maximum amount your agency may deduct from your disposable pay is 15 percent a pay period, unless you agree in writing to a larger percentage.