

**§ 301-76.101**

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

**§ 301-76.101 Who is responsible for ensuring that all due process and legal requirements have been met?**

You are responsible for ensuring that all requirements have been met.

**§ 301-76.102 Can we collect undisputed delinquent amounts if we have not reimbursed the employee for amounts reimbursable under applicable travel regulations?**

No, you may only collect undisputed delinquent amounts after you have reimbursed the employee under the applicable travel regulations and in accordance with a proper travel claim. However, if the employee has not submitted a proper travel claim within the timeframe requirements of §301-52.7 of this chapter, and there are no extenuating circumstances, you may collect the undisputed delinquent amounts.

**§ 301-76.103 What is the maximum amount we may deduct from the employee's disposable pay?**

As set forth in Public Law 105-264, 112 Stat. 2350, October 19, 1998, the maximum amount you may deduct from the employee's disposable pay is 15 percent per pay period, unless the em-

**41 CFR Ch. 301 (7-1-02 Edition)**

ployee consents in writing to deduction of a greater percentage.

**APPENDIX A TO CHAPTER 301—PRESCRIBED MAXIMUM PER DIEM RATES FOR CONUS**

The maximum rates listed below are prescribed under part 301-11 of this chapter for reimbursement of per diem expenses incurred during official travel within CONUS (the continental United States). The amounts shown in column (a) are the maximums that will be reimbursed for lodging expenses excluding taxes. The M&IE rates shown in column (b) are fixed amounts allowed for meals and incidental expenses covered by per diem. The per diem payment calculated in accordance with part 301-11 of this chapter for lodging expenses plus the M&IE rate may not exceed the maximum per diem rate shown in column (c). Seasonal rates apply during the periods indicated. It is the policy of the Government, as reflected in the Hotel Motel Fire Safety Act of 1990 (Pub. L. 101-391, September 25, 1990 as amended by Pub. L. 105-85, November 18, 1997), referred to as "the Act" in this paragraph, to save lives and protect property by promoting fire safety in hotels, motels, and all places of public accommodation affecting commerce. In furtherance of the Act's goals, employees are encouraged to stay in a facility which is fire-safe, i.e., an approved accommodation, when commercial lodging is required. Lodgings that meet the Government requirements are listed on the U.S. Fire Administration's Internet site at <http://www.usfa.fema.gov/hotel/index.cfm>.