

PART 304-1—ACCEPTANCE OF PAYMENT FROM A NON-FEDERAL SOURCE FOR TRAVEL EXPENSES

Sec.

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AUTHORITY: 5 U.S.C. 5701-5709; 31 U.S.C. 1353; E.O. 11609, 36 FR 13747, 3 CFR, 1971-1975 Comp., p. 586.

SOURCE: 57 FR 53289, Nov. 9, 1992, unless otherwise noted.

§ 304-1.1 Authority.

This part is issued under the authority of 31 U.S.C. 1353 and 5 U.S.C. 5701-5709.

§ 304-1.2 General.

(a) *Applicability.* This part applies to agency acceptance of payment from a non-Federal source for travel, subsistence, and related expenses with respect to the attendance of an employee in a travel status (and/or the accompanying spouse of such employee when applicable) at any meeting or similar function relating to the official duties of the employee. This part does not authorize acceptance of such payments by an employee or the accompanying spouse of an employee in his/her personal capacity (see, however, § 304-1.8(a)).

(b) *Solicitation prohibited.* An employee shall not solicit payment for travel, subsistence, and related expenses from a non-Federal source. However, after receipt of an invitation from a non-Federal source to attend a meeting or similar function or in the course of discussions of an event to be sponsored jointly by the agency and the non-Federal source, the agency or employee may inform the non-Federal source of this authority.

(c) *Definitions.* As used in this part, the following definitions apply:

(1) *Agency.* “Agency” means an executive agency as defined in 5 U.S.C. 105, and includes an independent agency as

well as an agency within the Executive Office of the President.

(2) *Employee.* “Employee” means an appointed officer or employee of an agency, including a special Government employee as defined in 18 U.S.C. 202, or an expert or consultant appointed under the authority of 5 U.S.C. 3109.

(3) *Meeting or similar function.* “Meeting or similar function” means a conference, seminar, speaking engagement, symposium, training course, or similar event that takes place away from the employee’s official station, and is sponsored or cosponsored by a non-Federal source. This term does not include a meeting or other event required to carry out an agency’s statutory or regulatory functions (i.e., a function that is essential to an agency’s mission), such as investigations, inspections, audits, site visits, negotiations, or litigation. The term also does not include promotional vendor training or other meetings held for the primary purpose of marketing the non-Federal source’s products or services. A meeting or similar function need not be widely attended for purposes of this definition, and includes but is not limited to the following:

(i) An event at which the employee will participate as a speaker or panel participant, including an event at which the employee will give an oral presentation focusing on his/her official duties or on the policies, programs, or operations of the agency;

(ii) A conference, convention, seminar, symposium or similar event the primary purpose of which is to receive training other than promotional vendor training, or to present or exchange substantive information concerning a subject of mutual interest to a number of parties;

(iii) An event at which the employee will receive an award or honorary degree, which is in recognition of meritorious public service that is related to the employee’s official duties, and which may be accepted by the employee consistent with the applicable standards of conduct regulation.

(4) *Non-Federal source.* “Non-Federal source” means any person or entity other than the Government of the United States. The term includes any