

### § 304-1.7

### 41 CFR Ch. 304 (7-1-02 Edition)

as practicable for credit to the agency appropriation applicable to such expenses. When the acceptance of payment has been approved in advance by the designated agency official, the agency, or employee on behalf of the agency for his/her travel (and/or that of the accompanying spouse, when applicable), may, in accordance with the provisions of §304-1.3(d), accept payment in excess of applicable limitations, provided that the accommodation or other benefit furnished is comparable in value to that offered to, or purchased by, other similarly situated individuals attending the meeting or similar function. When the applicable limitation will be exceeded, payment should be required in advance of the travel.

(b) *Payment in kind.* When the acceptance of payment has been approved in advance by the designated agency official, the employee, for his/her travel (and/or that of the accompanying spouse, when applicable), may, in accordance with the provisions of §304-1.3(d), accept payment in kind in excess of applicable limitations, provided that the accommodation or other benefit furnished is comparable in value to that offered to, or purchased by, other similarly situated individuals attending the meeting or similar function.

#### **§ 304-1.7 Reimbursement claims for official travel expenses.**

(a) The employee (and/or accompanying spouse when applicable) shall submit to the employing agency on authorized reimbursement forms all travel expense reimbursement claims, and shall itemize all expenses incurred which exceed applicable limitations (see §304-1.3(d)). Generally, the employee, and/or accompanying spouse when applicable, shall be reimbursed an amount not to exceed applicable limitations. However, when the non-Federal source, in accordance with the provisions of §304-1.3(d), makes full payment in excess of applicable limitations for reimbursable subsistence expenses or common carrier transportation expenses incurred, reimbursement shall be the amount of the payment from the non-Federal source. Reimbursement for expenses in excess of regulatory limitations shall not in any

case exceed the amount of the expenses incurred.

(b) The agency may reimburse the employee (and/or accompanying spouse of such employee when applicable) for only the types of expenses defined in §§301-7.1 (b)(6) and (c) of this subtitle or in analogous provisions of 6 FAM 100 or the JFTR, as applicable, for per diem allowances, transportation expenses, or other miscellaneous travel expenses.

(c) If an accepted payment covers only a portion of one or more types of the expenses incurred (e.g., \$50.00 per night for lodging in a locality with an \$85.00 per night maximum lodging allowance), the agency shall reimburse the employee (and/or accompanying spouse when applicable) only the amount to which he/she otherwise would be entitled under applicable regulation (chapter 301 of this subtitle, 6 FAM 100, or the JFTR). (See §304-1.3(e) regarding reduced per diem rate situations.)

(d) If an accepted payment covers in full one or more types of expenses described in paragraph (b) of this section (e.g., payment for lodging accommodations) but does not cover all of the travel expenses incurred, the agency shall reimburse the employee (and/or accompanying spouse of such employee when applicable) for those expenses that are not covered by the payment, not to exceed applicable limitations established in chapter 301 of this subtitle or in analogous provisions of 6 FAM 100 or the JFTR.

#### **§ 304-1.8 Limitations and penalties.**

(a) This part is the only authority under which an agency may accept payment from a non-Federal source, or authorize an employee to accept such payment on behalf of the agency, in connection with the attendance of its employee (and/or the accompanying spouse of such employee when applicable) at a meeting or similar function. An agency may not accept, under an agency gift statute or other similar authority, payment for travel, subsistence, and related expenses incurred by an employee and/or accompanying spouse to attend a meeting or similar function. However, nothing in this part prohibits an agency or employee from accepting payment as follows: