

§ 301-71.209

maximum time period of seven working days for notifying an employee that his/her travel claim is not proper.

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

§ 301-71.209 Must we pay a late payment fee if we fail to reimburse the employee within 30 calendar days after receipt of a proper travel claim?

Yes, a late payment fee, in addition to the amount due the employee, must be paid for any proper travel claim not reimbursed within 30 calendar days of submission to the approving official.

[FTR Amdt. 92, 65 FR 3057, Jan. 19, 2000]

§ 301-71.210 How do we calculate late payment fees?

Late payment fees are calculated either by:

(a) Using the prevailing Prompt Payment Act Interest Rate beginning on the 31st day after submission of a proper travel claim and ending on the date on which payment is made; or

(b) A flat fee, of not less than the prompt payment amount, based on an agencywide average of travel claim payments; and

(c) In addition to the fee required by paragraphs (a) and (b) of this section, you must also pay an amount equivalent to any late payment charge that the card contractor would have been able to charge had the employee not paid the bill. Payment of this additional fee will be based upon the effective date that a late payment charge would be allowed under the agreement between the employee and the card contractor.

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

§ 301-71.211 Is there a minimum amount the late payment fee must exceed before we will pay it?

Yes, a late payment fee will only be paid when the computed late payment fee is \$1.00 or greater.

[FTR Amdt. 90, 65 FR 3058, Jan. 19, 2000]

§ 301-71.212 Should we report late payment fees as wages on a Form W-2?

No, the Internal Revenue Service (IRS) has determined that the late pay-

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ment fee is in the nature of interest (compensation for the use of money).

[FTR Amdt. 90, 65 FR 3058, Jan. 19, 2000]

§ 301-71.213 Is the additional fee, which is the equivalent to any late payment charge that the card contractor would have been able to charge had the employee not paid the bill, considered income?

Yes, you must report this late payment fee as additional wages on Form W-2.

[FTR Amdt. 90, 65 FR 3058, Jan. 19, 2000]

§ 301-71.214 Does mandatory use of the Government contractor-issued travel charge card change the employee's obligation to pay his/her travel card bill by the due date?

No, mandatory use of the Government contractor-issued travel charge card does not relieve the employee of his/her obligation to honor his/her cardholder payment agreement.

[FTR Amdt. 90, 65 FR 3058, Jan. 19, 2000]

Subpart D—Accounting for Travel Advances

§ 301-71.300 What is the policy governing the use of travel advances?

You should minimize the use of cash travel advances. However, you should not require an employee to pay travel expenses using personal funds unless the employee has elected not to use alternative resources provided by the Government, such as a Government contractor-issued charge card.

§ 301-71.301 In situations where a lodging facility requires the payment of a deposit, may we reimburse an employee for an advance room deposit prior to the beginning of scheduled official travel?

Yes, you may reimburse an employee an advance room deposit, when such a deposit is required by the lodging facility to secure a room reservation, prior to the beginning of an employee's scheduled official travel. However, if the employee is reimbursed the advance room deposit, but fails to perform the scheduled official travel for reasons not acceptable to the agency, resulting in the forfeit of the deposit,

Temporary Duty (TDY) Travel Allowances

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the employee is indebted to the Government and must repay that amount in a timely manner as prescribed by you.

[FTR Amdt. 108, 67 FR 57967, Sept. 13, 2002]

§ 301-71.302 For how long may we issue a travel advance?

You may issue a travel advance for a reasonable period not to exceed 45 days.

[FTR Amdt. 70, 63 FR 15974, Apr. 1, 1998. Redesignated by FTR Amdt. 108, 67 FR 57967, Sept. 13, 2002]

§ 301-71.303 What data must we capture in our travel advance accounting system?

You must capture the following data:

- (a) The name and social security number of each employee who has an advance;
- (b) The amount of the advance;
- (c) The date of issuance; and
- (d) The date of reconciliation for unused portions of travel advances.

[FTR Amdt. 70, 63 FR 15974, Apr. 1, 1998; 63 FR 35538, June 30, 1998. Redesignated by FTR Amdt. 108, 67 FR 57967, Sept. 13, 2002]

§ 301-71.304 Are we responsible for ensuring the collection of outstanding travel advances?

Yes.

[FTR Amdt. 70, 63 FR 15974, Apr. 1, 1998. Redesignated by FTR Amdt. 108, 67 FR 57967, Sept. 13, 2002]

§ 301-71.305 When must an employee account for a travel advance?

An employee must account for an outstanding travel advance each time a travel claim is filed. If the employee receives a travel advance but determines that the related travel will not be performed, then the employee must inform you that the travel will not be performed and repay the advance at that time.

[FTR Amdt. 70, 63 FR 15974, Apr. 1, 1998. Redesignated by FTR Amdt. 108, 67 FR 57967, Sept. 13, 2002]

§ 301-71.306 Are there exceptions to collecting an advance at the time the employee files a travel claim?

Yes, when the employee is in a continuous travel status and

(a) You review each outstanding travel advance on a periodic basis (the period will be for a reasonable time of 45 days or less); and

(b) You determine the amount, if any, of the outstanding balance exceeds the amount of estimated travel expenses for the authorized period and collect the excess amount from the employee.

[FTR Amdt. 70, 63 FR 15974, Apr. 1, 1998. Redesignated by FTR Amdt. 108, 67 FR 57967, Sept. 13, 2002]

§ 301-71.307 How do we collect the amount of a travel advance in excess of the amount of travel expenses substantiated by the employee?

When the outstanding advance exceeds what you owe the employee, then the employee must submit cash or a check for the difference in accordance with your policy. Your failure to collect the amount in excess of substantiated expenses will cause a violation of the accountable plan rules contained in the Internal Revenue Code (title 26 of the United States Code).

[FTR Amdt. 70, 63 FR 15974, Apr. 1, 1998. Redesignated by FTR Amdt. 108, 67 FR 57967, Sept. 13, 2002]

§ 301-71.308 What should we do if the employee does not pay back a travel advance when the travel claim is filed?

You should take alternative steps to collect the debt including:

- (a) Offset against the employee's salary, a retirement credit, or other amount owed the employee;
- (b) Deduction from an amount the Government owes the employee; or
- (c) Any other legal method of recovery.

[FTR Amdt. 70, 63 FR 15974, Apr. 1, 1998. Redesignated by FTR Amdt. 108, 67 FR 57967, Sept. 13, 2002]

§ 301-71.309 What internal policies and procedures must we establish governing travel advances?

Accounting for cash advances for travel, recovery, and reimbursement shall be in accordance with procedures prescribed by the General Accounting Office (see General Accounting Office Policy and Procedures Manual for