

**§ 301-52.12**

a receipt if your agency already has the receipt.

(d) Provide a copy of the notice of disallowance.

(e) State the proper authority for your claim if you are challenging your agency's application of the law or statute.

(f) Follow your agency's procedures for challenging disallowed claims.

(g) If after reconsideration by your agency your claim is still denied, you may submit your claim for adjudication to the GSA Board of Contract Appeals in accordance with 48 CFR part 6104.

**§ 301-52.12 What happens if I attempt to defraud the Government?**

(a) You forfeit reimbursement pursuant to 28 U.S.C. 2514; and

(b) You may be subject under 18 U.S.C. 287 and 1001 to one, or both, of the following:

(1) A fine of not more than \$10,000, or

(2) Imprisonment for not more than 5 years.

**§ 301-52.13 Should I keep itemized records of my expenses while on travel?**

Yes. You will find it helpful to keep a record of your expenses by date of the expense to aid you in preparing your travel claim or for tax purposes.

**§ 301-52.14 What must I do with any travel advance outstanding at the time I submit my travel claim?**

You must account for the travel advance in accordance with your agency's procedures.

**§ 301-52.15 What must I do with any passenger coupon for transportation costing over \$75, purchased with cash?**

You must submit the passenger coupons to your agency in accordance with your agency's procedures.

**§ 301-52.16 What must I do with any unused tickets, coupons, or other evidence of refund?**

You must submit any unused tickets, coupons, or other evidence of refund to your agency in accordance with your agency's procedures.

[FTR Amdt. 70, 63 FR 15969, Apr. 1, 1998; 63 FR 35538, June 30, 1998]

**41 CFR Ch. 301 (7-1-04 Edition)**

**§ 301-52.17 Within how many calendar days after I submit a proper travel claim must my agency reimburse my allowable expenses?**

Your agency must reimburse you within 30 calendar days after you submit a proper travel claim to your agency's designated approving office. Your agency must ensure that it uses a satisfactory recordkeeping system to track submission of travel claims. For example, travel claims submitted by mail, in accordance with your agency's policy, could be annotated with the time and date of receipt by your agency. Your agency could consider travel claims electronically submitted to the designated approving office as submitted on the date indicated on an e-mail log, or on the next business day if submitted after normal working hours. However, claims for the following relocation allowances are exempt from this provision:

(a) Transportation and storage of household goods and professional books, papers and equipment;

(b) Transportation of mobile home;

(c) Transportation of a privately owned vehicle;

(d) Temporary quarters subsistence expense, when not paid as lump sum;

(e) Residence transaction expenses;

(f) Relocation income tax allowance;

(g) Use of a relocation services company;

(h) Home marketing incentive payments; and

(i) Allowance for property management services.

[FTR Amdt. 92, 65 FR 21365, Apr. 21, 2000]

**§ 301-52.18 Within how many calendar days after I submit a travel claim must my agency notify me of any error that would prevent payment within 30 calendar days after submission?**

Your agency must notify you as soon as practicable after you submit your travel claim of any error that would prevent payment within 30 calendar days after submission and must provide the reason(s) why your travel claim is not proper. However, not later than May 1, 2002, agencies must achieve a

## Temporary Duty (TDY) Travel Allowances

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maximum time period of seven working days for notifying you that your travel claim is not proper.

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

### **§ 301-52.19 Will I receive a late payment fee if my agency fails to reimburse me within 30 calendar days after I submit a proper travel claim?**

Yes, your agency must pay you a late payment fee, in addition to the amount due you, for any proper travel claim not reimbursed within 30 calendar days of your submission of it to the approving official.

[FTR Amdt. 90, 65 FR 3056, Jan. 19, 2000]

### **§ 301-52.20 How are late payment fees calculated?**

Your agency must either:

(a) Calculate late payment fees 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) Reimburse you 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, your agency must also pay you an amount equivalent to any late payment charge that the card contractor would have been able to charge you had you not paid the bill.

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

### **§ 301-52.21 Is there a minimum amount the late payment fee must exceed before my agency will pay it to me?**

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 3056, Jan. 19, 2000]

### **§ 301-52.22 Will any late payment fees I receive be reported as wages on a Form W-2?**

No, the Internal Revenue Service (IRS) has determined that the late payment fee is in the nature of interest (compensation for the use of money).

Your agency will report payments in accordance with IRS guidelines.

[FTR Amdt. 90, 65 FR 3056, Jan. 19, 2000]

### **§ 301-52.23 Is the additional fee, which is equal to any late payment charge that the card contractor would have been able to charge had I not paid the bill, considered income?**

Yes, your agency will report this payment as additional wages on Form W-2.

[FTR Amdt. 90, 65 FR 3056, Jan. 19, 2000]

### **§ 301-52.24 Does mandatory use of the Government contractor-issued travel charge card change my obligation to pay my travel card bill by the due date?**

No, mandatory use of the Government contractor-issued travel charge card does not relieve you of your obligation to pay your bill in accordance with your cardholder agreement.

[FTR Amdt. 90, 65 FR 3056, Jan. 19, 2000]

## **PART 301-53—USING PROMOTIONAL MATERIALS AND FREQUENT TRAVELER PROGRAMS**

Sec.

301-53.1 To whom do the pronouns “I”, “you”, and their variants refer throughout this part?

301-53.2 What may I do with promotional benefits or materials I receive from a travel service provider?

301-53.3 How may I use promotional materials and frequent traveler benefits?

301-53.4 May I select travel service providers for which my agency is not a mandatory user in order to maximize my frequent traveler benefits?

301-53.5 Are there exceptions to the mandatory use of contract city-pair fares and an agency’s 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?

AUTHORITY: 5 U.S.C. 5707; 31 U.S.C. 1353.

SOURCE: FTR Amdt. 104, 67 FR 17947, Apr. 12, 2002, unless otherwise noted.