

## Temporary Duty (TDY) Travel Allowances

## § 301-74.14

### **§ 301-74.6 What can we do if we cannot find an appropriate conference facility at the chosen locality per diem rate?**

While it is always desirable to obtain lodging facilities within the established lodging portion of the per diem rate for the chosen locality, it may not always be possible. In negotiating lodging rates with the properties in the chosen location, you may exceed the established lodging portion of the per diem rate by up to 25 percent under §§ 301-74.8 and 301-74.9, if necessary. This will provide flexibility in selecting an appropriate property at the most advantageous location. It will also permit agencies to reimburse their employees' subsistence expenses by using the conference lodging allowance method as prescribed in § 301-74.8 for a Government sponsored conference and in § 301-74.9 for non-Government sponsored conferences, rather than the actual expense method prescribed in subpart D of part 301-11 of this chapter.

### **§ 301-74.7 What is the conference lodging allowance?**

The conference lodging allowance is a pre-determined maximum allowance of up to 25 percent greater than the applicable locality lodging portion of the per diem rate. Under this reimbursement method, employees will be reimbursed the actual amount incurred for lodging up to the conference lodging allowance.

### **§ 301-74.8 Who may authorize reimbursement of the conference lodging allowance for a Government sponsored conference?**

The approval authority for the conference lodging allowance is the Government agency sponsoring the conference. The sponsoring agency will determine the appropriate conference lodging allowance, up to 25 percent above the established lodging allowance for the chosen location, and that rate shall be allowable for all employees of any agency authorized to attend the conference. The determination must be made by a senior agency official at the sponsoring agency.

### **§ 301-74.9 Who may authorize reimbursement of the conference lodging allowance for a non-Government sponsored conference?**

The travel approving official of a Government employee authorized to attend a non-Government sponsored conference may authorize the employee to be reimbursed for lodging expenses incurred up to the conference lodging allowance rate.

### **§ 301-74.10 May the conference lodging allowance ever exceed 25 percent above the lodging per diem rate?**

No, the conference lodging allowance may not exceed 25 percent above the applicable locality lodging per diem rate.

### **§ 301-74.11 May we provide light refreshments at an official conference?**

Yes. Agencies sponsoring a conference may provide light refreshments to agency employees attending an official conference. Light refreshments for morning, afternoon or evening breaks are defined to include, but not be limited to, coffee, tea, milk, juice, soft drinks, donuts, bagels, fruit, pretzels, cookies, chips, or muffins.

### **§ 301-74.12 May we use both the conference lodging allowance method and the actual expense method of reimbursement concurrently?**

No. You must only use one reimbursement method per day in accordance with § 301-11.4 of this chapter.

### **§ 301-74.13 May we include conference administrative costs in an employee's per diem allowance payment for attendance at a conference?**

No. Per diem is intended only to reimburse the attendee's subsistence expenses. You must pay conference registration fees separately, either directly or by reimbursing employees who pay such expenses and submit travel claims.

### **§ 301-74.14 Are there any special requirements for sponsoring or funding a conference at a hotel, motel or other place of public accommodation?**

Yes. When you sponsor or fund (see 15 U.S.C. 2225a), in whole or in part, a

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conference at a place of public accommodation in the United States, you must use an approved accommodation (see §300-3.1 of this title), except as provided in §301-74.15. This provision also applies to the government of the District of Columbia when it expends Federal funds for a conference and any non-Federal entity which uses Government funds to sponsor or fund a conference.

### § 301-74.15 May we waive the requirement in § 301-74.14?

Yes, if the head of your agency makes a written determination on an individual case basis that waiver of the requirement to use approved accommodations is necessary in the public interest for a particular event. Your agency head may delegate this waiver authority to a senior agency official or employee who is given waiver authority with respect to all conferences sponsored or funded, in whole or in part, by your agency.

### § 301-74.16 What must be included in any advertisement or application form relating to conference attendance?

(a) Any advertisement or application for attendance at a conference described in §301-74.14 must include:

(1) Notice of the prohibition against using a non-FEMA approved place of public accommodation for conferences; and

(2) Notice that the conference lodging allowance applies to Federal attendees, if applicable.

(b) In addition, any executive agency, as defined in 5 U.S.C. 105, shall notify all non-Federal entities to which it provides Federal funds of this prohibition.

### § 301-74.17 What special rules apply when a conference is held in the District of Columbia?

In addition to the general rules provided in this part, the following special rules apply:

(a) You may not directly procure lodging facilities in the District of Columbia without specific authorization and appropriation from Congress (see 40 U.S.C. 34); and

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NOTE TO §301-74.17 (a): This provision does not prohibit payment of per diem to an employee authorized to obtain lodging in the District of Columbia while performing official business travel.

(b) It is no longer mandatory that you contact GSA for meeting or conference facilities in the District of Columbia. However, you are encouraged to contact the GSA Public Buildings Service (PBS) of the National Capital Region to inquire about the availability of short-term conference and meeting facilities in the District of Columbia. For additional information see the Customer Desk Guide for Real Property Management, Chapter 1. The Customer Desk Guide can be found on the worldwide web at [http://www.gsa.gov/attachments/GSA\\_PUBLICATIONS/pub/CustomerGuidebookmarkedversion.pdf](http://www.gsa.gov/attachments/GSA_PUBLICATIONS/pub/CustomerGuidebookmarkedversion.pdf).

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### § 301-74.18 What policies and procedures must we establish to govern the selection of conference attendees?

You must establish policies that reduce the overall cost of conference attendance. The policies and procedures must:

(a) Limit your agency's representation to the minimum number of attendees determined by a senior official necessary to accomplish your agency's mission; and

(b) Provide for the consideration of travel expenses when selecting attendees.

### § 301-74.19 What records must we maintain to document the selection of a conference site?

For each conference you sponsor or fund, in whole or in part for 30 or more attendees, you must maintain a record of the cost of each alternative conference site considered. You must consider at least three sites. You must make these records available for inspection by your Office of the Inspector General or other interested parties.