

NIH TRAVEL POLICY

**1500-01-00 Introduction to Official Government Travel**

**A. Introduction.** The following directive provides information and guidance regarding NIH policies and procedures pertaining to official travel, its authorization and performance, and submission of claims for reimbursement of expenses. It is intended to assist *civilian employees* and others who are required to travel in the performance of their duties, as well as personnel responsible for the administration of travel regulations.

**NOTE:** *Rules and regulations in this directive will address the majority of official Government Travel subjects including sponsored travel. There are, however, other topics such as payment of expenses connected with the illness or death of a traveler, invitational travel, and certain relocation allowances that affect relatively few travel assignments. If these situations arise, contact your Administrative Officer for guidance.*<sup>1</sup>

*Further, although Commissioned Officer (C.O.) travel is outlined in the Joint Federal Travel Regulations (JFTR), certain areas of travel in this Issuance contain the same policies and procedures referenced in the JFTR (Web site: <http://www.dtic.mil/perdiem/jftr.html>). Therefore, some Chapters in this Manual will specifically address C.O. travel requirements and entitlements.*

Official Government Travel is either related to:

- 1) Temporary duty away from the official duty station (TDY),
- 2) A change of official duty station, a “relocation” which entails a Permanent Change of Station (PCS) or first duty assignment, or
- 3) Local travel in and around the official duty station.

It is essential that the employee’s travel is authorized with a written or electronically generated form HHS-1 Travel Authorization (Order) providing sufficient funds for the

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<sup>1</sup> *Policies and procedures regarding the authorization and approval of temporary duty travel for non-FTE Persons, e.g., Visiting Fellows, C.O.’s, and Invitational Travelers can be referenced in the applicable chapter within this directive (NIH Manual 1500). Guidance on relocation service allowances can be referenced in Chapter 09 for employees and in Chapter 10 for non-FTE Persons. Provisions pertaining to payment by the Government of expenses in connection with the death of certain employees and/or their immediate family members are outlined in FTR Chapter 303 and further detailed in NIH Manual Issuance 1130 - Delegations of Authority, Travel #8.*

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expenses that will be incurred. **In all cases, travelers are expected to exercise the same care in spending public funds that a prudent person would exercise when traveling on personal business.**

**B. Authority.** The following written authorities are cited as reference points for this directive on policies and procedures: 31 U.S.C. 1353, 42 U.S.C. 3506; 5 U.S.C. 7342; 5 U.S.C. 4101-4118; 5 U.S.C. 5701 – 5709, 40 U.S.C. 486(c), and the Federal Travel Regulation (FTR) contained in Title 41, Subtitle F, of the Code of Federal Regulations (CFR). In cases where NIH directives are inconsistent with governing promulgations and in cases where there are omissions from the directives, the governing regulations will normally prevail. Such decisions will rest with the Director, Office of Financial Management (OFM), NIH.

**C. Delegations of Authority.** Appropriate delegations of authority at the National Institutes of Health are those that are published in NIH Manual Issuance 1130 under “Travel”. These delegations are also defined in NIH Manual Issuance 1500 Chapter 01-02 C(9) and C(10).

**NOTE:** (This Manual Issuance can be accessed on the Web at:

<http://www1.od.nih.gov/oma/manualchapters/>

**D. General Provisions.** These procedures are for the processing of official travel of civilian employees of the NIH, and others, including those intermittently employed as consultants or experts and paid on a daily when-actually-employed basis; and individuals serving without pay or at \$1 per year, i.e., “Invitational Travelers”. (See definition of “employee” below.)

**E. Definitions.** Listed below are some of the more frequently used terms and their definitions for official Government travel promulgation purposes.

- 1) ***Actual Expense Allowance (AEA)*** - Payment of authorized actual expenses incurred, limited by GSA to 300%, as appropriate. Entitlement to reimbursement is contingent upon entitlement to per diem, and is subject to the same rules governing per diem.
- 2) ***Automated -Teller-Machine (ATM) services*** - Bank/Financial Institution-provided ATM services that allow cash withdrawals from participating ATMs to be charged to a government-issued travel charge card.
- 3) ***Calendar day*** - The 24-hour period from one midnight to the next. For purposes of these directives, the calendar day technically begins one second after midnight (expressed as 12:01 a.m.) and ends at 12:00 midnight.

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- 4) *Common carrier*** - Private sector suppliers of air, rail, bus, or steamship transportation.
- 5) *Conference Lodging Allowance (CLA)*** - A pre-determined maximum allowance of up to 25 percent greater than the applicable locality lodging portion of the per diem rate.
- 6) *Continental United States (CONUS)*** - The 48 contiguous States and the District of Columbia.
- 7) *Contract carriers*** - U.S. certificated air carriers, which are under contract with the Government to furnish Federal employees and other persons authorized to travel at Government expense with passenger transportation service. This also includes the General Services Administration's (GSA) scheduled airline passenger service between selected U.S. cities/airports and between selected U.S. and international cities/airports at reduced fares.
- 8) *Employee*** - An individual employed by an agency including an individual employed intermittently in the Government service as an expert or consultant and paid on a daily when-actually-employed basis and an individual serving without pay or at \$1 a year (See FTR 301-1.2).
- 9) *Government-contracted rental car*** - An automobile obtained from a commercial firm under the provisions of an appropriate GSA Federal Supply Schedule contract.
- 10) *Government-issued individually billed charge card*** - A Government-issued travel charge card used by authorized individuals to pay for official travel and transportation related expenses for which the bank/financial institution bills the employee.
- 11) *Government-furnished automobile*** - An automobile, or light truck/van, which is:
- a) Owned by an agency,
  - b) Assigned or dispatched to an agency from the GSA Interagency Fleet System, or
  - c) Leased by the Government for a period of 60 days or longer from a commercial source.
- 12) *Government Travel Account (GTA)*** - A cardless, centralized billing process that facilitates procurement of common carrier transportation services via a Travel Management System (TMS), e.g, Travel Management Center (TMC).

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- 13) Interviewee** - An individual who is being considered for employment by an agency. The individual may currently be a Government employee.
- 14) Locality rates** - The maximum per diem rates prescribed for specific localities within the CONUS.
- 15) Lodgings-plus per diem system** - A method for computing per diem allowances while on official travel. Per diem allowances for each day of official travel are based on the actual amount a traveler pays for their lodging, plus an allowance for meals and incidental expenses (M&IE), the total of which may not exceed the applicable maximum per diem rate for the location concerned.
- 16) Meeting or similar function** – A conference, seminar, speaking engagement, training course, or similar event that takes place away from the employee’s official duty station.
- 17) Nonfederal source** - Any entity other than the Federal Government including any organization, association, corporation, individual, or any state or local government unit, including the government of the District of Columbia.
- 18) Non-foreign area - Outside Conus (OCONUS)** – The States of Alaska and Hawaii, Puerto Rico, Guam, American Samoa, the U.S. Virgin Islands and any other territory under U.S. jurisdiction. NOTE: In the automated travel system, trips of this nature will be approved as domestic travel.
- 19) Official duty station** - The location of the employee’s permanent work assignment. The limits of the official station will be the corporate limits of the city or town in which the employee is stationed. If the employee is not stationed in an incorporated city or town, the official station is the reservation, station, or established area, or in the case of large reservations, the established subdivision thereof, having definite boundaries within which the designated post of duty is located.
- 20) Payment-in-Kind (PIK)** - Goods or services provided in lieu of funds paid to an agency for travel, subsistence, and other travel related expenses.
- 21) Per diem allowance** - Per diem allowance is also referred to as “subsistence allowance” and is a daily payment instead of reimbursement for actual expenses for lodging, meals, and related incidental expenses. The per diem is separate from

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transportation expenses and other miscellaneous expenses. The per diem allowance covers all charges, including any service charge where applicable.

**22) *Privately owned vehicle (POV)*** – Any vehicle (such as an automobile, motorcycle, aircraft, or boat), operated by an individual that is not owned or leased by a Government agency and is not commercially leased or rented by an employee under a Government rental agreement, used in connection with official Government business.

**23) *Standard CONUS rate*** -The per diem rate assigned to any temporary duty location within the CONUS that is not included in one of the defined higher rate “locality areas”. The standard rate is also assigned to ALL locations within CONUS, including the specially defined localities, in cases of relocation travel.

**24) *Temporary duty location (TDY)*** - A place, away from the employee’s official duty station where the employee is authorized to travel and conduct Government business.

**25) *Travel advance*** - Partial prepayment of the estimated travel expenses paid to an employee before departure.

**26) *Travel authorization (Order)*** - Written permission to travel on official business. It must include specific purposes, itinerary and estimated costs.

**27) *Travel reimbursement claim (Voucher)*** - A written request, supported by documentation and receipts where applicable, for reimbursement of expenses incurred in the performance of official travel, including permanent change of station (PCS) travel.

**28) *Travel Management System (TMS)*** - A system to arrange travel services for Federal employees on official travel, including reservation of accommodations and ticketing. A TMS includes a Travel Management Center, commercial ticket office, electronic travel management system, or other commercial method of arranging travel.

**29) *Transportation expenses*** - Expenses incurred for commercial bus, air, rail, or ship fares that are reimbursable in addition to the per diem allowance. Transportation expenses also include local transit system and taxi fares, cost of commercial rental and other special conveyances, mileage and other allowances for use of privately owned vehicles, including fees for parking, ferries, etc.

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**30) Other miscellaneous travel expenses** - Other reimbursable travel expenses are those that are directly attributable and necessary to the travel and temporary duty as authorized and performed (See FTR 301-12 for detailed list of all claimable expenses.)

**1500-01-01 Ethical Issues Associated with Travel**

- A. General.** This part of the directive identifies some of the ethical issues that NIH employees may be faced with, as they pertain to travel. It also contains guidance that should be adhered to in a variety of travel-related scenarios. Each employee must be in compliance with the ethical standards required of Federal employees in general and of NIH employees in particular.
- B. Authority.** Statutory and regulatory authorities related to this area are numerous and promulgated by Congress, the Comptroller General, the General Services Administration, and the Office of Government Ethics.
- C. Guidance.** The NIH has the statutory authority to accept gifts donated to the Gift Trust Funds from donors who wish to support the mission of biomedical research under the Public Health Service (PHS) Act, Sections 231, 301, 405, and 497. The Gift Funds include the Unconditional Gift Fund, the Conditional Gift Fund, and the Patient's Benefit Fund.

As a general rule, NIH employees, may not accept gifts or donations in conjunction with travel related situations. Reimbursements offered to employees to defray either general or specific expenses associated with travel or transportation are considered to be offers of gifts or donations, and according to numerous Comptroller General (C.G.) decisions, are strictly prohibited except as described in 5 U.S.C. 4111, 31 U.S.C. 1353, 42 U.S.C. 3506, and 5 U.S.C. 7342 (See NIH Manual Issuance 1500 Chapter 08 "Acceptance of Payment from Non-Federal Sources to Cover Travel Expenses").

**1) *Private (Nonfederal) Source Contributions.*** Private source contributions for travel are supplements to the salary or expenses of Federal employees, and are improper for two reasons. First, they are prohibited by Title 18 U.S.C. 209. Under this statute, both the giving and the receiving are criminal offenses. Secondly, they are improper as unauthorized augmentations. To the extent the contribution supplements the Government salary or other expenditure, including travel associated costs, it is an augmentation in an indirect sense, the theory being that when Congress appropriates money for an activity, all expenses of that activity must be borne by that appropriation unless Congress specifically provides otherwise.

**2) *Exceptions to Private (Nonfederal) Source Contributions.*** Under 5 U.S.C. 4111, enacted as part of the Government Employee Training Act, an employee may accept, 1)

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contributions and awards incident to training in non-Government facilities, and 2) payment of travel, subsistence, and other expenses incident to attendance at meetings, but only if the donor is a tax-exempt, nonprofit organization. Under legislative authorities 31 U.S.C. 1353, 42 U.S.C. 3506, and 5 U.S.C. 7342, with limited conditions, an employee may accept payment of travel, subsistence, and other related expenses respectively, incident to: attendance at meetings and similar functions; in the performance of advisory services; or in conducting official duties on behalf of the United States when funding is provided by a foreign government (including international or multinational organizations).

Under 31 U.S.C. 1353, employees and their spouses are prohibited from accepting cash or checks made payable to the employee and/or the spouse from a non-Federal source for travel or attendance at meetings or similar functions. Cash may still be received and retained by the employee under the authority to provide advisory services (42 U.S.C. 3506) or to accept sponsorship under the Foreign Gifts and Decorations Act (5 U.S.C. 7342); however, in these scenarios, the employee is advised to submit the payment to his/her administrative official for deposit to the appropriation in the most expeditious manner. NIH personnel who process vouchers for sponsored trips should consult NIH Manual Issuance 1500 Chapter 08 for the directions and proper handling of checks made payable to the individual traveler. If an employee receives payment either in cash or in kind under this section, his/her transportation and related travel allowances must be reduced accordingly.

The above policies apply to reimbursements for travel performed by NIH employees in line with their official duties only. Travel performed incident to “outside work or activities” is contained in NIH Manual Issuance Chapter 2300-735-4, and must be submitted on a HHS-520 Form “Request for Approval of Outside Activities”.

**3) Donations.** When made to an employee under the provisions of 5 U.S.C. 4111 with the express condition that they be used for an unauthorized purpose they should be returned to the donor (47 C.G. 319, 1967).

**4) Retention of “Discount Coupons” and “Frequent Flyer” Miles.** An employee or other individual who receives a promotional item (including frequent flyer miles, upgrades or access to carrier clubs or facilities), as a result of using travel or transportation services obtained at Federal Government expense or accepted under the statutory authorities referenced in 1500-01-01(C)(2) above, may retain the promotional item for personal use or business use, if the promotional item is obtained under the same terms as those offered to the general public and at no additional cost to the Federal Government. An employee may keep a prize won in a contest or lottery sponsored by

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an air carrier if the contest was open to the general public and not limited to ticket-holding passengers. (B-199656, *supra*).

**5) *Denied Boarding*** (involuntary bumping) compensation is payable to the Government, not to the individual employee. Since this is not a gift but is more in the nature of damages, it is deposited into miscellaneous receipts (See FTR 301-10.116). However, where the employee voluntarily vacates his/her seat and takes a later flight, he/she may retain overbooking compensation received from the airlines, subject to offset for any additional travel expenses caused by the voluntary action. (59 C.G. 203, 1980). (For additional guidance, see FTR 301-10.117).

**6) *Conditions of Non-acceptance of Travel Expenses.*** Unless authorized pursuant to an exception, an employee may not accept travel expenses from a prohibited source.

A prohibited source means any person who:

- a) Is seeking official action by the employee's agency;
- b) Does business or seeks to do business with the employee's agency;
- c) Conducts activities regulated by the employee's agency;
- d) Has interests that may be substantially affected by the performance or non-performance of the employee's official duties; or
- e) Is an organization, a majority of whose members are described in a-d above (5 C.F.R. 2635.203 (d)).

**D. NIH Procedures for Acceptance of Nonfederal Source Funds.**

**1) *Nonfederal source approval.*** All offers of payment of official travel expenses from non-Federal sources must be approved in advance and in writing, by the appropriate official (See NIH Manual Issuance 1130 - Delegations of Authority, Travel # 7), prior to acceptance. This will help to provide consistency of interpretation of applicable statutes and regulations. Administrators are responsible for ensuring all agency personnel are made aware that such offers must be so approved. This is especially important for those responsible for approving travel.

**2) *Acceptance of expenses from nonfederal sources.*** Travel orders should note specifically what expenses are being accepted by the traveling employee and under what authority. The traveling employee will never approve the acceptance of his/her own travel expenses.

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**3) *Record of nonfederal expenses.*** A record of all travel expenses accepted from non-Federal funding will be kept by the OD/Office of Financial Management (OFM) in a central file. In addition, the OFM will submit a Semi-Annual Report to the OS/Assistant Secretary for Budget, Technology, and Finance, accordingly.

For additional information on acceptance of payment for travel and related expenses from a nonfederal source, you can reference NIH Manual 1500 Chapter 08.

## **1500-01-02 Authorization and Approval of Official Travel**

### **A. General.**

**1) *Authorizing Officials*** - Following is a list of NIH officials with specific delegation to authorize and/or approve travel documents (**See Items C(9) and C(10)**). While some travel-related documents are prepared manually, for the majority of domestic, foreign, and local travel, the NIH requires the use of the electronic travel orders and vouchers available on the automated travel system.

**2) *Automated Travel System:*** To initiate and approve travel documents on the automated travel system, users are required to be properly trained in travel procedures. The IC Organization Administrator (OA) has to certify that the user has completed the requisite training and security requirements. Once those requirements are met, the IC OA submits a request on behalf of the individual for user authorization. Comprehensive travel courses are available through the NIH's Division of Workforce Development (DWD) (Training Center) and additional information may be accessed at the following web site address:

<http://my.nih.gov>

**B. Authority.** The FTR requires that the head of an agency, authorize or approve all travel. The Secretary of the Department of Health and Human Services allows for the re-delegation of this authority. The approval process of all vouchers for payment is authorized by Title 31 U.S.C. 3528 ( See Federal Travel Regulations CFR 301-71.203).

**C. Delegations of Authority.** The Deputy Director for Management, NIH, is delegated the responsibility of maintaining the NIH's authorization and approval system and is particularly responsible for ensuring compliance with all aspects of the system by NIH delegated officials (See NIH Manual Issuance 1130 - Delegations of Authority, Travel).

**1) *Authorizations (Travel Orders) and related funding documentation.*** The NIH administrative officials listed below (**Item C(9)**) and **C(10)**) have been delegated specific

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responsibilities for the authorization and/or approval of travel related documents. These officials review and assess the appropriateness of the trip, the method of transportation used, the cost estimates set forth for per diem and travel expenses, and the availability of funds for payment to the traveler.

**2) Funds available.** Most Federal appropriations that are used to fund travel are approved on a **fiscal year (FY) schedule (October 1 of the current calendar year to September 30 of the coming calendar year)**. When the United States Congress and the President pass the Federal Budget *on or before* October 1 of the current year, monies authorized and obligated for travel purposes *on or after* the October 1 date are made available.

**3) Funding from multiple CANs.** Because the NIH workforce is made up of Federal Civil Service employees, Commissioned Officers of the USPHS, appointees, fellows, and trainees, their travel funding may be obligated from more than a single appropriation or CAN. The account used depends upon the employment category of the employee doing the travel. Although, most of these funds are renewed on a fiscal year basis, some funds are approved for multiple years and are not affected by the September 30 FY deadline. (Item (7) below.)

**4) Suspension of Federal funding.** When the United States Congress and the President do not sign the new fiscal year budget nor approve a “continuing resolution” (CR) by October 1 of the current year, the Federal Agencies are deemed “out of funds” and must be shut down. All Federal employees, including travelers, are “furloughed”.

**5) Travel not funded.** When travelers submit authorizations (Travel Orders) for periods of travel that span both fiscal years (e.g. September 23 – October 5), approving officials must ensure that the authorization contains the qualifying statement, “**Subject to the Availability of Funding**”. This commits only monies from the current FY travel budget, not monies from the new FY budget that may not be approved. **Travelers should be advised that if the Federal Budget is not signed and a continuing resolution is not authorized to temporarily fund the Government, they are expected to return to their permanent duty station by midnight September 30. All expenses incurred after this deadline cannot be claimed by the traveler or reimbursed by the Government.**

**6) Continuing resolution (CR).** When the United States Congress and the President do not sign a new fiscal year budget, the President has the option of signing a “continuing resolution”. This piece of legislation allows “**emergency funding**” for Government agencies to continue running for a limited number of days beyond the September 30 midnight deadline. Travel activities may take place during the continuing resolution period, and expenses are reimbursable.

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**7) Appropriations not affected by the FY date.** Employees who conduct official travel authorized from funds that are not dependent upon the fiscal year renewal date (referenced in item (3) above) may continue in travel status, and travel expenses are fully reimbursable.

**8) New FY budget approved.** When the United States Congress and the President sign the new fiscal year Federal Budget on or before October 1, all travel expenses are covered. If the employee is in travel status during a period of time that spans both fiscal years, he/she will be reimbursed for all travel expenses that were incurred before midnight September 30 from the current FY budget, and reimbursed for all travel expenses that were incurred after 12:01 a.m. October 1 from the new FY budget.

Travel Orders and Vouchers will be prepared accordingly reimbursing from both appropriations.

**9) Authorizing Officials - Travel Orders and pre-travel documents.**

- a) NIH Director may authorize travel for all personnel at the NIH.
- b) The delegation of authority for foreign travel for all employees of their respective institutes or centers can be referenced in NIH Manual Issuance 1130 Delegations of Authority, Travel #9.
- c) Delegated Administrative Officials designated as “funding officials” authorize domestic travel and approve funding for domestic and foreign travel for employees in their IC over-site areas.
- d) The “recommending official” signs travel documents for all employees directly under their supervision and, in cases where re-delegation has been authorized, may also **approve domestic travel orders** for employees under their supervision.
- e) Budget Officers who oversee “management funding” in the NIH Clinical Center, authorize both domestic and foreign travel orders with approvals at the Administrative and Director’s Offices respectively.
- f) For signature approval for Actual Expense Allowance (AEA) justifications, reference NIH Manual Issuance 1130 Delegations of Authority, Travel #1.
- g) The delegation of authority for accepting payment from a nonfederal source to cover travel-related expenses in cash or in kind can be referenced in NIH Manual Issuance 1130 Delegations of Authority, Travel #7.
- h) For signature approval for Non-contract air carriers and Foreign air carrier usage, reference NIH Manual Issuance 1130 Delegations of Authority, Travel #14.

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- i) For signature approval for Premium Class travel accommodations, for travelers with a disability, special needs, or individual justification, reference NIH Manual Issuance 1130 Delegations of Authority, Travel #15.

**10) *Approval of travel reimbursement claims (Travel Vouchers).*** Following are the officials with delegated authority to approve Travel vouchers, including those items requiring specific approval before reimbursement can be made:

- a) NIH Delegated Administrative Officials who have signature certification for funding, approve all Travel Vouchers for their respective Institute or Center areas.
- b) Budget Officers in the NIH Clinical Center approve voucher payments with an additional Administrative Officer authorizing signature.
- c) The one exception to the above rules is the approval of “**cash**” (use of personal credit cards, personal checks, money orders, etc.) to purchase emergency or non-emergency transportation tickets costing **over \$100** from traveler’s personal funds. The appropriate official must make the final decision for authorizing reimbursement of all, part or none of the ticketed amount before funding approval can be finalized and payment issued (See NIH Manual Issuance 1130 - Delegations of Authority, Travel # 12).