



# United States Department of the Interior

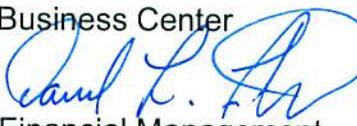
OFFICE OF THE SECRETARY  
Washington, DC 20240



APR 21 2009

## FINANCIAL MANAGEMENT MEMORANDUM 2009-065 (Vol. X.A)

To: Bureau Chief Finance Officers  
Bureau Assistant Directors for Administration  
Director, National Business Center

From: Daniel L. Fletcher,   
Director, Office of Financial Management

Subject: Travel and Transportation Act - Revised Procedures

The General Services Administration (GSA) issued Interim Rule 8 on July 16, 1999, to provide implementing regulations for certain sections of the Travel and Transportation Act of 1998 (PL 105-264). Additional refinements to GSA's regulations were issued on January 19, 2000, and April 21, 2000, in the Federal Register. In summary, the changes stipulate:

- Only en route and house hunting trips are subject to late payment penalties and, to be eligible, must be submitted on separate vouchers. (If a voucher for relocation expenses includes en route and house hunting trips it does not need to be returned as an improper voucher.)
- The aging process for late payment penalties begins upon receipt of the voucher in the designated approving official's office. If the receipt date is not annotated, then a constructive receipt date of five calendar days after the voucher was signed by the traveler will apply.
- Vouchers submitted electronically to the designated approving official will be the date considered received unless submitted after normal working hours -- in such case the next business day will apply.
- Until May 1, 2002, improper vouchers are to be returned to the traveler as soon as possible. On May 1, 2002, a voucher deemed improper must be returned to the traveler within seven working days.

For your information and action attached are the revised procedures, a copy of the Department's policy memorandum regarding Mandatory Use of the Government-Issued Charge Card for Travel issued by the Assistant Secretary - Policy, Management and Budget on March 29, 2000, and a copy of the April 21, 2000, Federal Register announcement.

If you have any questions regarding this information or if you require additional information, please contact Robert Smith ([Robert\\_Smith@ios.doi.gov](mailto:Robert_Smith@ios.doi.gov)) on 202-208-5684.

Attachments

Replaces: FAM 2001-004

**Travel & Transportation Reform Act (TTRA)**  
***Implementation Procedures***  
Effective for Travel Performed On or After May 1, 2000  
Revised: February 5, 2001

**Provisions Covered:**

- A) Mandatory Use of the Travel Charge Card
- B) Exemptions
- C) Penalties for Non-compliance With the Mandatory Use Policy
- D) Timely Reimbursement of Travel Expenses to Employees, Including Late Payment Penalties - Employee, Approving Official, and Finance Office Requirements.

**Procedures:**

A) Mandatory Use of the Travel Charge Card:

The Department's policy regarding Mandatory Use of the Charge Card was issued by the Assistant Secretary - Policy, Management and Budget on March 29, 2000 (copy attached). It is mandatory to use the Government-sponsored charge card for all temporary duty travel, and intra-bureau relocations for house hunting and en route travel performed by employees.

B) Exemptions:

1) General exemptions as authorized by the General Services Administration:

- Expenses incurred at a vendor that does not accept the Government-sponsored travel charge card,
- Laundry/dry cleaning,
- Parking,
- Local transportation systems,
- Taxi,
- Tips,
- Meals, when use of the card is impractical, e.g. group meals or the Government-sponsored charge card is not accepted,
- Phone calls, when a Government calling card or prepaid calling card is available for use in accordance with agency policy,
- Employees who have an application pending for the travel charge card,
- Individuals traveling on invitational travel,
- New appointees for a period of 30 days after appointment, and
- Interviewees travel expenses excluding transportation.

Please note that a formal exemption as described in "B.2." below is not required for non-use of the government-sponsored travel charge card in the above cases. However, it should also be noted

that an employee may charge official travel related expenses such as laundry, dry cleaning, parking, local transportation, meals, tips, etc., using the government-sponsored charge card.

## 2) Other Exemptions From the Mandatory Use of the Travel Card Policy:

Program Assistant Secretaries have been delegated authority to grant exemptions to the Department's mandatory use policy. Exemption requests must describe fully the extenuating circumstances beyond the employee's control that preclude the employee from using the Government-sponsored charge card. A simple refusal to obtain the travel charge card will not constitute grounds for granting an exemption. The procedures governing exemptions follow:

- a) the employee's exemption request must be made in writing and be submitted to the appropriate Assistant Secretary for consideration through the appropriate intermediate levels,
- b) all exemption requests will be returned to the requestor indicating approval or denial, and
- c) a copy of all approved exemptions will be immediately provided to Departmental Office of Financial Management (PFM) by the approving official in order that the Department complies with the requirement to report all exemptions to the General Services Administration (GSA) within the 30 days.

## C) Penalties for Non-compliance With the Mandatory Use Policy:

Formal disciplinary actions should be considered by the employee's immediate supervisor if there is evidence that the charge card was not used for official purposes without an authorized exemption. However, before issuing any formal notices to the employee, the supervisor must contact the bureau's servicing personnel office to ensure that all the necessary requirements are satisfied. Please refer to the Department's *Handbook on Charges and Penalty Selection for Disciplinary and Adverse Actions*. Disciplinary action may include:

- Oral or written warning or admonishment;
- Reprimand;
- Suspension;
- Reassignment;
- Reduction in pay; or
- Employment termination.

## D) Timely Reimbursement of Travel Expenses to Employees, Including Late Payment Penalties:

GSA implementation regulations in support of the Travel and Transportation Reform Act require that travel vouchers be paid within 30 days of receipt of a *proper voucher* by the agency's *designated approving office*. If payment is not made within the 30 day time frame, the agency is required to pay a late payment penalty to employees.

### Definitions:

*Proper Voucher* - A voucher that is substantially complete in every material respect (as to documentation and receipts) and which has been signed by the traveler. That is: (1) the

trip was authorized and performed; (2) the appropriate receipts/ticket stubs and other required documentation appear to be in order and are attached to the voucher; and (3) the traveler has signed and dated the travel voucher certifying to its correctness (e.g. block 13 SF 1012).

*Approving Official* - The person with the authority to review, verify and approve the travel voucher.

*Designated Approving Office* - The office (location/address) where the designated approving official resides.

As a point of clarification, there are two distinct levels of reviews for travel vouchers: 1) a general review performed by the traveler's supervisor (or designated approving official) to ensure that the trip was authorized and that the claimed transactions appear reasonable, and 2) a detail review performed by a voucher examiner or certifying officer in the Finance Office prior to or subsequent to payment. Because of the 30 day requirement for payment, **it is extremely important that approving officials review and approve proper vouchers and forward them to the paying office within 5 days of receipt.**

If a voucher is determined "improper" it is to be returned to the traveler as soon as possible. (Note: Effective May 1, 2002, a voucher not considered proper must be returned to the employee within 7 working days from receipt in the agency's designated approving office).

It is strongly recommended that travel vouchers be "date stamped" upon receipt by the designated approving office. If for some reason a voucher is not date stamped upon receipt in the approving official's office, then the constructive date of receipt in the approving official's office **will be 5 calendar days after the date the voucher was signed by the employee.** Vouchers submitted electronically to the designated approving official will be the date considered received unless submitted after normal working hours -- in such cases the next business day will apply. To avoid a late payment penalty, the payment should be processed so that it will be received by the traveler not more than 30 days from the date the voucher was received in the designated approving official's office, or not more than 30 calendar days from the constructive date of receipt based on the date the voucher was signed by the employee (the latter only applies in cases where the voucher's receipt date was not annotated by the designated approving office). The amount of the late payment penalty is set by the table provided in item 3)d), below.

For normal temporary duty travel voucher processing, it is anticipated that the Finance Office (the paying office) will be able to process and submit payment within 20 days. This time should be adequate in most cases for the employee to be reimbursed in time to pay his/her charge card billing. (The qualification "in most cases" is dependent on when the charge was actually made relative to the billing cycle and the time the employee takes to file the voucher upon trip completion.)

#### 1) Employee Requirements:

a) Employees are required to prepare the travel voucher and submit it to their designated approving office within 5 workdays after completion of travel, after each 30 day segment of extended temporary duty travel, or each segment of permanent change of station travel. However, it is emphasized that for late payment purposes, the clock begins when the voucher is received by

the designated approving office.

b) Employees are responsible for correcting/completing a travel voucher and resubmitting it either to the approving official (if a new voucher had to be prepared for approval) or to the Finance Office. This depends on which Office returned the travel voucher to the employee. An employee does not usually need to prepare an entirely new voucher when it is returned by the Finance Office.

c) An employee may submit a supplemental claim for Bank of America late penalties and/or Interior's late payment penalty if he/she believes that these were not correctly paid.

## 2) Approving Official Requirements:

Upon submission of the travel voucher, approving officials do the following:

a) If the voucher and its attachments appear to meet the criteria for a proper voucher (e.g., the trip was authorized and performed; the appropriate receipts/ticket stubs and other documentation appear to be in order and are attached to the voucher; and the traveler has signed the voucher certifying its correctness), then the voucher should be signed by the approving official as soon as possible (try to complete within 5 calendar days of receipt by the approving office) and immediately forwarded to the finance office. Or,

b) If the voucher is incomplete or otherwise fails to meet the criteria for a proper voucher, the approving official will return it to the employee as soon as possible. (Note: Effective May 1, 2002, a voucher not considered proper must be returned to the employee within 7 calendar days from receipt in the agency's designated approving office). In such cases, the "clock" for determining late payment is reset to zero, and begins again when a proper voucher is received by the designated approving official.

## 3) Finance Office Requirements:

a) Establishes and maintains a record keeping system to verify payment performance, and compliance with TTRA and its implementing regulations. The basic requirement is to be able to document the aging of a particular voucher through payment. On May 1, 2002, such aging records need to document that a voucher determined improper was returned to the traveler within the 7 calendar days allowed. In cases where travel vouchers are submitted electronically, the date the voucher was transmitted to the approving official will be the constructive date received in the approving official's office for tracking purposes (unless submitted after normal working hours -- in such cases the next business day will apply).

b) Reviews/audits the voucher and submits it to Treasury for payment if all supporting documents and amounts claimed are in order.

c) Returns the voucher to the traveler if it is incomplete with an explanation of why the voucher was considered insufficient to pay. Each bureau must use a satisfactory record keeping system to track submission of travel claims. The aging process of the voucher will continue where it left off upon receipt of the voucher back in the Finance Office.

d) Includes a late payment penalty if payment is not made such that it will be received in the Traveler's bank account within the allotted 30 days time. The late payment fee will be automatically added to the travel reimbursement that the employee would otherwise be entitled using the following table:

Amount of Claim	28 -57 <sup>th</sup> Day	58-87 <sup>th</sup> Day	88-117 <sup>th</sup> Day	118-147 <sup>th</sup> Day	148-177 <sup>th</sup> Day	178-207 <sup>th</sup> Day	208+ Days
\$1 - \$500	\$5	\$10	\$15	\$40	\$65	\$90	\$115
\$500.01 +	\$10	\$20	\$30	\$60	\$90	\$120	\$150

**Table Assumptions:**

- All payments are made by electronic funds transfer (EFT).
- "Amount of Claim" for intra-bureau relocation travel is based on en route and house hunting trips only and must be claimed on a separate travel voucher.
- Table allows 2 days for EFT payment to be processed to traveler's bank account, that is why the table begins on day 28 rather than 30.
- On the 118<sup>th</sup> Day, the table includes \$20 additional for amount that could be charged by Bank of America.
- On the 148<sup>th</sup> Day, the table includes \$40 additional for amount that could be charged by Bank of America.
- On 178<sup>th</sup> Day table includes \$60 additional for amount that could be charged by Bank of America.
- On 208<sup>th</sup> Day table includes \$80 additional for amount that could be charged by Bank of America.

**Important Note:**

The Internal Revenue Service (IRS) has ruled that late payments of the type accruing through day 117 above, constitute an interest payment and must be reported annually on IRS Form 1099-INT. Every effort should be made by Bureau Finance Offices to ensure that travel reimbursement vouchers are paid before day 118, since the incremental \$20 penalty in subsequent monthly late payment fees thereafter constitutes W-2 earnings to employees, which would require additional Payroll Office reporting.



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, D.C. 20240



MAR 29 2000

## Memorandum

To: Assistant Secretaries  
Heads of Bureaus

From: John Berry  
Assistant Secretary - Policy, Management and Budget

Subject: Federal Travel Regulation; Mandatory Use of the Government-Issued Charge Card for Travel - Final Rule

The purpose of this communication is to provide the Department's policies for implementing the Federal Travel Regulation; Mandatory Use of the Travel Charge Card - Final Rule as issued by the General Services Administration on January 19, 2000. The Final Rule was published as a result of enactment of the Travel and Transportation Reform Act (P.L.105-264). The Final Rule provides implementing regulations for mandatory use of the Government-sponsored travel charge card for official travel, timely payment of travel vouchers by agencies, and use of salary offset when requested by the charge card contractor (currently the Bank of America) to collect seriously delinquent accounts. Implementing procedures dealing with travel policy will be issued by the Office of Financial Management; personnel policies dealing with the use and abuse of charge cards will be issued by the Office of Personnel Policy; and procedures relating to the integrated charge card program will be issued by the Office of Acquisition and Property Management.

The Department's policies are as follows:

### I. Mandatory Use of the Government-Sponsored Travel Charge Card - Effective Immediately on all Temporary Duty and Relocation Travel

The Department uses a single charge card which covers the travel, purchasing and fleet business lines. This policy is directed toward the mandatory use of the Government-sponsored charge card for the travel business line (Travel Charge Card).

#### *-Mandatory Use of the Travel Charge Card*

It is mandatory that holders of the Travel Charge Card use the card to purchase transportation tickets, and pay for lodging and rental cars while on official travel, unless the Travel Charge Card is not accepted, or an exemption has been granted.

#### *- Obtaining a Travel Charge Card*

Employees who are expected to travel on official business are required to obtain the Travel Charge Card, and will comply with the terms and conditions specified in the cardholder

agreement. New employees who are expected to travel are required to apply for a Travel Charge Card within 30 days of their appointment, and will acknowledge their understanding of the Department's mandatory use policy in writing. Employees who carry delinquent account balances from a previous Travel Charge Card will be required to satisfy their existing obligation before a new card will be issued.

***- Use of the Travel Charge Card***

Holders of the Travel Charge Card are required to use the card for the purchase of transportation tickets, lodging, and car rental expenses necessary to conduct official travel, unless the card is not accepted by merchants or an exemption has been granted. The Travel Charge Card should also be used whenever practicable for any other official travel expenses such as meals, taxis, parking, etc.

The Travel Charge Card may only be used for expenses related to official travel. Use of the travel charge card for items that are centrally billed (such as transportation tickets and rental cars) should be limited to reimbursable travel expense amounts under the Federal Travel Regulation. In those rare instances where centrally-billed items exceed the amounts reimbursable under the Federal Travel Regulation, employees shall reimburse the Department for any such excess amounts at the time the travel voucher is filed.

***- Exemptions From the Mandatory Use of the Travel Charge Card***

Program Assistant Secretaries are hereby delegated authority to grant exemptions to the mandatory use policy as deemed necessary and justified, and this authority cannot be re-delegated. Requests for exemption by employees within the Offices of the Secretary and the Solicitor shall be submitted to the Assistant Secretary- Policy, Management and Budget. The Inspector General will approve exemptions to the mandatory use policy for OIG employees. All requests for exemption must be submitted to the appropriate Assistant Secretary, and copies of approved exemptions will be sent to the Office of Financial Management. As required by the Federal Travel Regulation, the Office of Financial Management will report all exemptions granted by the Department to the General Services Administration within thirty days.

***- Loss of Travel Charge Card Privileges***

Employees who lose their Travel Charge Card privileges due to misuse or account delinquency will be expected to come into compliance with this policy by promptly resolving any outstanding balance on the Travel Charge Card, and to use personal funds to finance all travel expenses (except transportation tickets) on official travel until Travel Charge Card privileges are restored. When personal funds are thus used, employees will be reimbursed for qualifying travel expenses by submitting a proper travel voucher. However, employees should be advised that additional charges may be imposed if Payroll Offset procedures are necessary to resolve delinquencies on outstanding Travel Charge Card balances (see Section III below).

In cases of extreme hardship, employees who have lost charge card privileges may request written approval for a travel advance on a trip-by-trip basis from their Program Assistant Secretary or equivalent, who may redelegate this authority to a level not lower than the Bureau Assistant Director for Administration. Consideration of such requests will be made on a case-by-

case basis, and approval should not be assumed. It should be made clear to employees that the Travel Charge Card should be used for all allowable expenses associated with official travel, and that any exceptions should be short-term in nature and rare.

A written record of all such approvals, as well as the basis for each approval, will be maintained by the approving office and a copy forwarded to the Office of Financial Management. This record shall be regularly reviewed by A/S- PMB.

***- Disciplinary Actions for Non-Compliance***

Disciplinary actions for non-compliance with this policy will be handled in accordance with Departmental personnel policies and the Department of the Interior's Personnel Handbook on Charges and Penalty Selection for Disciplinary and Adverse Actions, which may include oral and written reprimands, suspension without pay, and removal from Federal service.

Supervisors and managers should consult with their servicing personnel office prior to initiating disciplinary actions.

**II. Departmental Responsibility for Paying Travel Vouchers - Effective on all Temporary Duty and Relocation Travel Performed After February 29, 2000**

***- Timely Payment of Travel Vouchers***

The Department will pay travel claims within thirty calendar days after an employee submits a proper voucher to his/her approving official. Any travel voucher submitted to the approving official that cannot be approved will be returned to the employee for correction within seven calendar days with an explanation of why the voucher (claim) could not be approved as submitted. Employees are reminded that current policy requires travel vouchers to be submitted within five work days after completion of the travel, or every thirty days for extended travel.

***- Late Payment of Travel Vouchers***

Travelers reimbursed after the thirty day period from the date of submission of a proper voucher will be paid a late payment penalty as prescribed by the Federal Travel Regulation, and any late fees that could have been imposed by the travel charge card contractor.

**III. Collection of Delinquent Amounts Upon Written Request of the Federal Charge Card Contractor - Effective Immediately on All Balances**

***- Collection of Delinquent Travel Charge Card Accounts by Salary Offset***

In accordance with their cardholder agreement, employees are obligated pay the undisputed balance on their individually-billed Travel Charge Card account within 30 days of the billing/closing date.

Upon the written request of the Travel Charge Card contractor, the Department will initiate a

process to collect delinquent amounts owed on individually-billed Travel Charge Card accounts from future salaries paid to employees (salary offset). The Department will notify employees in writing of the contractor's request for collection assistance, and will inform employees of their "due process" rights relating to the contractor's claim before salary offset is initiated. Before initiating a salary offset action, bureau Finance Offices will verify that the employee has been reimbursed for a properly filed travel voucher. Employees carrying delinquent Travel Charge Card accounts for which travel vouchers have not been filed will be subject to disciplinary actions, as prescribed in the Department's Handbook on Charges and Penalty Selection for Disciplinary and Adverse Actions.

cc: Associate Directors for Administration  
Chief Financial Officers  
Deputy Chief Financial Officers  
Bureau Finance Officers  
Bureau Personnel Officers

**List of Subjects in 40 CFR Part 63**

Environmental protection, Air emissions control, Hazardous air pollutants, Combustion turbines.

Dated: April 13, 2000.

Robert Perciasepe,  
Assistant Administrator, Office of Air and Radiation.  
(FR Doc. 00-9925 Filed 4-20-00; 8:45 am)  
BILLING CODE 6560-50-P

**GENERAL SERVICES ADMINISTRATION**

41 CFR Parts 301-51, 301-52, 301-54, 301-70, 301-71 and 301-76

[FTR Amendment 92]

RIN 3090-AH24

**Federal Travel Regulation; Mandatory Use of the Travel Charge Card**

AGENCY: Office of Governmentwide Policy, GSA.

ACTION: Final rule.

**SUMMARY:** This final rule amends Federal Travel Regulation (FTR) Amendment 90 published in the Federal Register on Wednesday, January 19, 2000 (65 FR 3054) concerning payment by the Government of expenses connected with official Government travel. This final rule further implements the requirements of Public Law 105-264.

**DATES:** This final rule is effective April 21, 2000, and applies to payment of expenses in connection with official Government travel performed on or after May 1, 2000.

**FOR FURTHER INFORMATION CONTACT:** Jim Harte, Office of Governmentwide Policy, Travel and Transportation Management Policy Division, at (202) 501-1538.

**SUPPLEMENTARY INFORMATION:****A. Background**

Pursuant to Public Law 105-264, subsection 2(a), the Administrator of General Services is required to issue regulations requiring Federal employees to use the travel charge card established pursuant to the United States Travel and Transportation Payment and Expense Control System, or any Federal contractor-issued travel charge card, for all payments of expenses of official Government travel. Additionally, Public Law 105-264 requires the Administrator of General Services to issue regulations on reimbursement of travel expenses and collection of delinquent amounts upon written request of a Federal contractor.

The General Services Administration (GSA), after an analysis of additional data, has:

(1) Determined that certain relocation expenses (excluding en route travel and househunting expenses) are not technically "travel" expenses and, therefore, are not covered under the provisions of the statute.

(2) Established the date of May 1, 2002, for agencies to reach a seven-calendar day limit for reviewing travel claims.

(3) Permitted an agency to either calculate late payment fees using the Prompt Payment Act Interest Rate or a flat amount based on an agency average of travel claims, but not less than the prompt payment amount.

(4) Deleted health insurance from consideration as disposable pay.

**B. Regulatory Flexibility Act**

This final rule is not required to be published in the Federal Register for notice and comment; therefore, the Regulatory Flexibility Act does not apply.

**C. Executive Order 12866**

GSA has determined that this final rule is not a significant regulatory action for the purposes of Executive Order 12866 of September 30, 1993.

**D. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply because this final rule does not impose recordkeeping or information collection requirements, or the collection of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget (OMB) under 44 U.S.C. 501 *et seq.*

**E. Small Business Regulatory Enforcement Fairness Act**

This final rule is also exempt from congressional review prescribed under 5 U.S.C. 801 since it relates solely to agency management and personnel.

**List of Subjects in 41 CFR Parts 301-51, 301-52, 301-54, 301-70, 301-71, and 301-76**

Government employees, Travel and transportation expenses.

For the reasons set forth in the preamble, 41 CFR Chapter 301 is amended as follows:

**PART 301-51—PAYING TRAVEL EXPENSES**

1. The authority citation for 41 CFR part 301-51 continues to read as follows:

Authority: 5 U.S.C. 5707. Subpart A is issued under the authority of Sec. 2, Pub. L.

105-264, 112 Stat. 2350 (5 U.S.C. 5701 note); 40 U.S.C. 486(c).

2. Section 301-51.2 is amended by adding paragraph (l) to read as follows:

**§ 301-51.2 What official travel expenses and/or classes of employees are exempt from the mandatory use of the Government contractor-issued travel charge card?**

\* \* \* \* \*

(l) Relocation allowances prescribed in chapter 302 of this title, except en-route travel and househunting trip expenses.

**PART 301-52—CLAIMING REIMBURSEMENT**

3. The authority citation for 41 CFR part 301-52 continues to read as follows:

Authority: 5 U.S.C. 5707; 40 U.S.C. 486(c); Sec. 2, Pub. L. 105-264, 112 Stat. 2350 (5 U.S.C. 5701 note).

4. Sections 301-52.17 and 301-52.18 are revised to read as follows:

**§ 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.

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

5. Section 301-52.20 is revised to read as follows:

**§ 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.

**PART 301-54—COLLECTION OF UNDISPUTED DELINQUENT AMOUNTS OWED TO THE CONTRACTOR ISSUING THE INDIVIDUALLY BILLED TRAVEL CHARGE CARD**

6. The authority citation for 41 CFR part 301-54 continues to read as follows:

Authority: 5 U.S.C. 5707; 40 U.S.C. 486(c); Sec. 2, Pub. L. 105-264, 112 Stat. 2350 (5 U.S.C. 5701 note).

7. Section 301-54.2 is revised to read as follows:

**§ 301-54.2** What is disposable pay?

Disposable pay is your compensation remaining after the deduction from your earnings of any amounts required by law to be withheld. These deductions do not include discretionary deductions such as savings bonds, charitable contributions, etc. Deductions may be made from any type of pay you receive from your agency, e.g., basic pay, special pay, retirement pay, or incentive pay.

**PART 301-70—INTERNAL POLICY AND PROCEDURE REQUIREMENTS**

8. The authority citation for 41 CFR part 301-70 continues to read as follows:

Authority: 5 U.S.C. 5707; 40 U.S.C. 486(c); Sec. 2, Pub. L. 105-264, 112 Stat. 2350 (5 U.S.C. 5701 note).

9. Section 301-70.704 is amended by adding a note at the end of the section to read as follows:

**§ 301-70.704** What expenses and/or classes of employees are exempt from the mandatory use of the Government contractor-issued travel charge card?

\* \* \* \* \*

Note to § 301-70.704: Relocation allowances prescribed in chapter 302 of this title, except en-route travel and househunting trip expenses are not covered by this requirement.

**PART 301-71—AGENCY TRAVEL ACCOUNTABILITY REQUIREMENTS**

10. The authority citation for 41 CFR part 301-71 continues to read as follows:

Authority: 5 U.S.C. 5707; 40 U.S.C. 486(c); Sec. 2, Pub. L. 105-264, 112 Stat. 2350 (5 U.S.C. 5701 note).

11. Section 301-71.204 is revised to read as follows:

**§ 301-71.204** Within how many calendar days after the submission of a proper travel claim must we reimburse the employee's allowable expenses?

You must reimburse the employee within 30 calendar days after the employee submits a proper travel claim to the agency's designated approving office. You must use a satisfactory recordkeeping system to track submission of travel claims. For example, travel claims submitted by mail, in accordance with agency policy, could be annotated with the time and date of receipt by the agency. You 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.

12. Section 301-71.208 is revised to read as follows:

**§ 301-71.208** Within how many calendar days after submission of a proper travel claim must we notify the employee of any errors in the claim?

You must notify the employee as soon as practicable after the employee's submission of the travel claim of any error that would prevent payment within 30 calendar days after submission and provide the reason(s) why the claim is not proper. However, not later than May 1, 2002, you must achieve a maximum time period of seven working days for notifying an employee that his/her travel claim is not proper.

13. Section 301-71.210 is revised to read as follows:

**§ 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.

**PART 301-76—COLLECTION OF UNDISPUTED DELINQUENT AMOUNTS OWED TO THE CONTRACTOR ISSUING THE INDIVIDUALLY BILLED TRAVEL CHARGE CARD**

14. The authority citation for 41 CFR part 301-76 continues to read as follows:

Authority: 5 U.S.C. 5707; 40 U.S.C. 486(c); Sec. 2, Pub. L. 105-264, 112 Stat. 2350 (5 U.S.C. 5701 note).

15. Section 301-76.2 is revised to read as follows:

**§ 301-76.2 What is disposable pay?**

Disposable pay is the part of the employee's compensation remaining after the deduction of any amounts required by law to be withheld. These deductions do not include discretionary deductions such as savings bonds, charitable contributions, etc. Deductions may be made from any type of pay, e.g., basic pay, special pay, retirement pay, or incentive pay.

Dated: April 13, 2000.

David J. Barram,

Administrator of General Services.

[FR Doc. 00-9774 Filed 4-20-00; 8:45 am]

BILLING CODE 6820-34-P

**DEPARTMENT OF ENERGY****48 CFR Parts 919 and 952**

RIN 1991-AB45

**Acquisition Regulations: Mentor-Protege Program**

AGENCY: Department of Energy.

ACTION: Final rule.

**SUMMARY:** The Department of Energy (DOE) is amending its acquisition regulations to encourage DOE prime contractors to assist small disadvantaged firms certified by the Small Business Administration under Section 8(a) of the Small Business Act (8(a)), other small disadvantaged businesses, Historically Black Colleges and Universities and other minority institutions of higher learning, women-owned small businesses and small business concerns owned and controlled by service disabled veterans in enhancing their capabilities to perform contracts and subcontracts for DOE and other Federal agencies. The program seeks to foster long-term business relationships between DOE prime contractors and these small business entities and minority institutions of higher learning and to increase the overall number of these small business entities and minority institutions that receive DOE contract and subcontract awards.

**EFFECTIVE DATE:** This rule will take effect May 22, 2000.

**FOR FURTHER INFORMATION CONTACT:** Eugene Tates, Mentor-Protege Program, U.S. Department of Energy, Office of Small and Disadvantaged Business Utilization, 1000 Independence Avenue, SW, Washington, DC 20585, (202) 586-4556; or Robert M. Webb, U.S. Department of Energy, Office of Procurement and Assistance Management, 1000 Independence

Avenue, SW, Washington, DC 20585, (202) 586-8264.

**SUPPLEMENTARY INFORMATION:**

- I. Background
- II. Resolution of Comments
- III. Procedural Requirements
  - A. Review Under Executive Order 12866
  - B. Review Under Executive Order 12988
  - C. Review Under the Regulatory Flexibility Act
  - D. Review Under the Paperwork Reduction Act
  - E. Review Under the National Environmental Policy Act
  - F. Review Under Executive Order 13132
  - G. Review Under the Unfunded Mandates Reform Act of 1995
  - H. Treasury and General Government Appropriation Act, 1999
  - I. Congressional Notification

**I. Background**

On June 9, 1995, DOE published final guidelines for its Mentor-Protege Pilot Initiative (60 FR 30529). The purpose of the Initiative was to develop a program that encouraged DOE prime contractors to help energy-related small disadvantaged, 8(a), and women-owned small businesses in enhancing their business and technical capabilities to ensure full participation in the mission of DOE. In addition, the Initiative sought to foster the establishment of long term business relationships between these small business entities and DOE prime contractors and to increase the overall number of these small business entities eligible to receive DOE contract and subcontract awards. In order to achieve the goal of the Initiative, DOE prime contractors entered into formal agreements with qualified small businesses to provide developmental assistance. In many cases, this assistance has enabled small businesses to benefit from the vast wealth of knowledge acquired by large, successful firms doing business with DOE.

The success of the DOE business mentoring relationships and the continuing need to develop small disadvantaged business, 8(a) firms and women-owned small businesses capabilities to perform contracts and subcontracts for DOE led DOE to propose the creation of a permanent DOE Mentor-Protege Program. DOE published a notice of proposed rulemaking on December 6, 1999 (64 FR 68072), which proposed a program having the same goals and objectives as the original DOE Mentor-Protege Pilot Initiative. Some refinements were proposed to provide additional incentives for prime contractor participation in the Mentor-Protege Program. After carefully considering the public comments received on the notice

of proposed rulemaking, DOE today publishes a final rule.

**II. Resolution of Comments**

Fourteen comments were received in response to the proposed rule. The comments and DOE's responses are as follows:

*Comment:* It is unclear whether or not DOE would reimburse Mentors for costs incurred by providing developmental assistance to Protege firms.

*Response:* The Mentor-Protege rule is clear on this issue. DOE has stated throughout the rule that developmental assistance costs are allowable if they are incurred by the Mentor in the performance of a DOE contract spelled out in the Mentor-Protege Agreement and are otherwise allowable in accordance with the cost principles applicable to that contract.

*Comment:* Do existing Mentor-Protege Agreements developed under the DOE Mentor-Protege Pilot Initiative have to be amended when this rule becomes effective?

*Response:* Existing agreements do not have to be amended. The new rule applies only to new agreements.

*Comment:* The rule does not cover small business concerns owned and controlled by service disabled veterans.

*Response:* DOE has revised the rule to include small business concerns owned and controlled by service disabled veterans, as defined in the Veterans Entrepreneurship and Small Business Development Act of 1999, Pub. L. No. 106-50.

*Comment:* Which small disadvantaged businesses, other than 8(a) firms, are eligible to participate in the Program?

*Response:* All small disadvantaged businesses that meet the eligibility requirements in paragraphs (a)(2)-(4) of § 919.7007 are eligible to participate.

*Comment:* Why, under § 919.7008(d) of the rule, does DOE only permit protests regarding the small business size of a firm, and not a firm's status as a small disadvantaged business, etc.?

*Response:* Small disadvantaged business status cannot be protested under this rule because the DOE Mentor-Protege Program is not limited to small disadvantaged businesses. Even if a firm is not a small disadvantaged business, it could still qualify as a small business.

*Comment:* A prospective Mentor should be required under § 919.7005 to provide evidence that the business is currently performing a DOE contract which contains a subcontracting plan.

*Response:* DOE can identify its current contractors, so there is no need for such a requirement.