

GIFT OF TRAVEL INFORMATION

FACT SHEET

Acceptance of Payment from a Non-Federal Source for Travel Expenses While In Official Capacity

Section 1353 of title 31, *United States Code*, permits non-Federal sources, such as organizations, associations, or businesses, to pay the Government for the expenses of transportation, accommodations, and meals for Government officials and employees in their official capacities to attend meetings and similar functions such as conferences and symposia.

The law has been implemented by the General Services Administration (Federal Travel Regulation, 41 CFR Part 304-1), and DoD (The Joint Travel Regulation) The requirements are summarized below:

Before payments for travel may be accepted from a non-Federal source, the travel approving authority must make the following determinations:

- Payment is for attendance at a **meeting or similar function**. Travel to serve on selection boards or review panels or to grade exams does not qualify. This regulation excludes events required to carry out an agency's statutory and regulatory functions, such as inspections, audits, site visits, or negotiations. It also excludes promotional vendor training or other meetings for the primary purpose of marketing the non-Federal source's products or services. The event need not be "widely attended."
- Payment is for travel related to the employee's official duties.
- Payment is from a non-Federal source that is not disqualified on conflict of interest grounds. A "conflicting source" of payments is a non-Federal organization that "has interests that may be substantially affected by the performance or nonperformance of the employee's duties."
- The travel is primarily for the benefit of the Government.

These determinations must be made in writing. The acceptance of travel benefits must be approved by the employee's travel approving authority in advance.

Benefits in-kind (e.g., plane tickets, prepaid hotel reservations) are preferred. Cash may not be accepted by DoD employees. Similarly, employees may not accept payment via EFT to their personal bank accounts. If benefits are provided by reimbursement of expenses, checks must be made out by the non-Federal source to the "Department of the Navy," not to the employee.