

Questions from/Answers to the Assembly of Scientists about NIH travel policy

1. **QUESTION:** Can NIH establish more efficient administrative mechanisms that are rapid enough to actually permit purchase of discount airfares within the usual 24-hour window? That is, we need travel orders be approved much more promptly rather the usual waiting period until very shortly before the travel, since low fares are then gone [see also “Lead time” questions below].

1. **ANSWER:** Travelers should work closely with their supervisors and authorizing/approving officials when seeking to take advantage of discount airfares. It is important to also note that non-contract restricted fares do not have the same flexibility as contract fares. With non-contract fares, fees may be applied when reservations are changed. Contract fares do not have change fees. As such, non-contract fares should not be authorized unless the AO and the employee have full confidence that the trip will occur on the precise schedule set by these tickets.

All reservations must be made through Omega either through the on-line booking engine or via the telephone unless one of the exceptions are met such as travel in remote areas, OCONUS (outside the Continental US), where it is not possible to use the Travel Management Center (TMC, currently Omega). Travelers are encouraged to use the on-line booking engine as the service fee paid to Omega is less when reservations are made this way. For on-line reservations, the tickets can be immediately issued once the AO and/or EO approvals are completed. For those reservations booked with Omega over the phone, the airline dictates the time period, usually 24-48 hours, in which they will hold a reservation until payment is received. Thus, if an authorization is not created and approved at the time the booking is made, it will need to be completed and forwarded to Omega within this window. The requirement to use Omega still applies for tickets booked with non-contract carriers that meet the 40%/15% cost savings for domestic/international flights.

Finally, the new HHS-wide required approval processes - - established in response to the OMB and Executive Orders on conference and travel - - have presented an additional challenge that entails obtaining Departmental approval 40 days prior to the deadline for early registration, where 20 or more NIH’ers are planning to attend or 50 or more HHS’ers are planning to attend. To ensure appropriate coordination, it is even more imperative to work early and closely with one’s AO to avoid unnecessary delays in the approval process and to avoid paying higher registration fees since no obligation can be incurred (to include registrations fees) prior to the appropriate approval. The NIH has worked very closely with the Department to leverage the existing Largely Attended Meeting (LAE) approval process which will reduce (although not eliminate) the number of required approval submissions to the Department.

2. **QUESTION:** Can we elect to stay at a more expensive hotel closer to the meeting venue, and pay the additional cost personally, placing our own time, convenience, and safety at a premium? Additionally, staying at such meeting venue hotels facilitates scientific exchange and discussion outside of the formal meeting program, and is a benefit to the government.

2. **ANSWER:** For TDY travel, first consideration must be given to FedRooms properties in accordance with the Federal Travel Regulation and HHS Travel Manual. The FedRooms program which is administered by GSA ensures travelers stay in fire-safe accommodations at a rate that is at or below per diem. In addition, a majority of FedRooms property provide additional benefits such as free internet access. However, neither the FTR nor the HHS Travel Manual specifically forbids a traveler from staying at a hotel above the per diem rate. When this occurs, the employee will be reimbursed his actual lodging cost not to exceed the maximum lodging rate for the TDY location. This is true also when AEA has been approved. This position derives from a FAQ on GSA's per diem web page asking "Can I combine the lodging and M&IE per diem rates ("mix and match") in order to get a nicer hotel room or spend more on meals?" For federal employees, the Federal Travel Regulation (FTR) does not make a provision for "mixing and matching" reimbursement rates. The lodging per diem rates are a maximum amount; the traveler only receives actual lodging costs up to that maximum rate. Therefore, there is no "extra" lodging per diem to add to the Meals and Incidental Expenses (M&IE) rate. Likewise, the M&IE per diem cannot be given up or transferred to lodging costs.

3. **QUESTION:** Can we classify any portion of travel by postdoctoral fellows, postbacs, grad students, or non-FTE trainees into the category of "training" and therefore exempt part or all of their travel costs from travel ceiling constraints.

3. **ANSWER:** Such travel may be categorized as training; however, it would still need to be included for consideration under the Executive Order efficiency reductions. Though training was included in the request for exclusion from the OMB M 12-12-mandated 30% travel reductions, it was not approved for exclusion.

4. **QUESTION:** Because ICs can differ significantly in their interpretation of policies and in their willingness to forward requests for exceptions granted to others at NIH, can an IRP scientist appeal directly to the STO (or DDIR) if they feel that their IC administration has unreasonably prevented forwarding of a request for a special-case exception to a blanket travel policy

4. **ANSWER:** All documents coming to the STO for waiver must come through the appropriate IC approving officials.

5. **QUESTION:** In general, can't work time be counted as part of the cost of a trip, e.g., when the cheapest fare requires loss of a work day? For example, if a senior NIH scientist earns \$800-\$1000 per day, doesn't that factor into the total cost if valuable work time is lost by taking an inconvenient flight. Related sub-question on scheduling: If the cheapest airline flight leaves at 7 AM rather than the preferred flight at 4 PM, does the traveler need to use that flight even if it requires awakening at 4:30 AM in order to reach the airport? Does it matter if that flight has 1-2 layovers of 2 hours each, thereby wasting valuable researcher time? Does it matter if the scientific meeting actually starts in the evening in California (causing traveler exhaustion and wasting more than a half-day of work at NIH)? We used to be able to reject any offered flight on the basis of schedule conflict -- do we still retain that right?

5. **ANSWER:** NIH Travel Manual Chapter 1500-03-01(A) states that "Travel on official business shall be by the method of transportation that will result in the greatest advantage to the Government, cost

and other factors considered. In selecting a particular method of transportation to be used, consideration shall be given to energy conservation and to the total cost to the Government, including costs of per diem, overtime, lost work-time, and actual transportation costs.” While there is some subjectivity involved, a 90-minute layover is not considered unreasonable to achieve a ticket cost saving of \$250.

It is NIH policy (1500-03-01) that travel after 12:00 midnight or before 6:00 am are unreasonable hours, i.e., unduly inconvenience the traveler or adversely affect safety, and are generally not considered. Along these lines, the HHS Travel Manual notes that “All managers and AOs are responsible for ensuring that employees schedule official business travel in a manner and on a time schedule that minimizes lost or unproductive work hours. Employees should work a complete day (the usual number of hours in their tour of duty) on travel days, or take an appropriate type of leave for the hours not worked.”

6. **QUESTION:** Must a traveler always use the cheapest mode of transportation, e.g., a Greyhound bus to New York or Boston? A bus to San Francisco? That is, what is the standard for comparison? What about local travel, e.g., must we take a Greyhound bus and local buses versus driving and paying for parking to go to Baltimore if the former is cheaper? Even if multiple hours of researcher time are wasted?

6. **ANSWER:** The Federal Travel Regulation requires NIH to select the method most advantageous to the Government, when cost and other factors are considered. Under 5 U.S.C. 5733, travel must be by the most expeditious means of transportation practicable and commensurate with the nature and purpose of your duties. In addition, your agency must consider energy conservation, total cost to the Government (including costs of per diem, overtime, lost work-time, and actual transportation costs), total distance traveled, number of points visited, and number of travelers. Thus, the use of a POV rather than a bus when traveling to Baltimore is reasonable even though the bus ticket is less than the POV mileage reimbursement.

7. **QUESTION:** In terms of lowest-cost fares, why isn't everyone required (or at least very actively administratively supported) to use a non-refundable ticket if it represents a 40% or greater savings compared to a contract flight when there is a minimal chance of cancellation by a traveler (since change fees are minimal compared to ticket prices)? Also, why 40%, when even 20% or 10% of the cost? Most extramural scientists fly on non-refundable tickets. The calculation of cost/benefit for cancelled flights is likely very different for the NIH IRP than the State Department.

7. **ANSWER:** As already noted in the answer provided to the first question, non-contract restricted fares do not have the same flexibility as contract fares. With non-contract fares, fees may be applied when reservations are changed. Contract fares do not have change fees. As such, non-contract fares should not be authorized unless the AO and the employee have full confidence that the trip will occur on the precise schedule set by these tickets. While current HHS policy requires at least a 40% savings be achieved for domestic and non-foreign flights and 15% for international flights, recent OMB policy

guidance on travel alluded to this being an area that will be further examined. Tickets for all flights, both contract and non-contract, must be obtained through the Travel Management Center.

8. **QUESTION:** It seems that for scientists, the burden of extra fees to allow freely changing flights is the same kind of unwelcome subsidy as in being forced to accept the full per diem (even when we do not use it). The most anti-NIH anger we have ever seen at a site visit came from the outrageously large airline ticket prices for BSC reviewers.

8. **ANSWER:** When GSA negotiated the City Pair program with the airline industry, there was concern that the industry would want to levy significant change fees whenever government employees cancelled or changed their flight schedules. Accordingly, built into the negotiated City Pair fares is a clause that doesn't permit change fees whenever flight cancellations and changes occur. Regarding the subsidy of full per diem when deemed excessive, the Federal Travel Regulation allows an agency to prescribe a reduced per diem rate lower than the prescribed maximum provided:

(a) When your agency can determine in advance that lodging and/or meal costs will be lower than the per diem rate; and

(b) The lowest authorized per diem rate must be stated in your travel authorization in advance of your travel.

9. **QUESTION:** How strict is the prohibition on combining personal travel on a personally purchased ticket and official travel? For example, if an investigator buys a ticket with his/her own money leaving Saturday and returning Sunday of the next week, can she attend a meeting in an official capacity Monday through Friday? What about attending Tuesday through Thursday with weekends, plus annual leave on Monday and Friday?

9. **ANSWER:** The underlying principal for travel by an indirect route for personal convenience is that the tickets for those legs of a trip associated with the official travel must be booked through ETS or the contracted Travel Management Center (TMC), Omega World Travel. Additionally, the traveler will fly on a City-Pair fare, assuming availability, unless meeting the cost saving exception allowing for a non-contract fare. The following scenarios illustrate personal and business travel:

First scenario: Traveler's duty station is Bethesda and has official business in Billings, Montana. Traveler wants to spend personal time in Denver prior to the meeting and then fly from Denver to Billings. The traveler can follow two options for the flight out to Billings. The first is to purchase a cash ticket from DC to Denver to Billings and be reimbursed the lesser of the actual cost of this ticket or the contract City-Pair fare from DC to Billings. The other option is for Omega to issue a government ticket from DC to Billings and the traveler then using the TMC to exchange the ticket for a ticket from DC to Denver to Billings. The ticket for the return flight from Billings to DC will be issued by Omega using City-Pair fare.

Second scenario: Traveler's duty station is Bethesda and has official business in Billings, Montana. Traveler wants to spend personal time in Denver after the meeting and then fly home from Denver.

The ticket for the flight out from DC to Billings to DC will be issued by Omega using City-Pair fare. The traveler can follow two options for the return flight out from Billings. The first is to purchase a cash ticket from Billings to Denver to DC and be reimbursed the lesser of the actual cost of this ticket or the contract City-Pair fare from Billings to DC. The other option is for Omega to issue a government ticket from Billings to DC and the traveler then using the TMC to exchange the ticket for a ticket from Billings to Denver to DC.

Third scenario: Personal travel in mid-TDY status. Traveler's duty station is Bethesda with official business in Billings on September 26 and flying out the following morning. The traveler then has official business in Cleveland, Ohio on September 29. Rather than flying back for the weekend, the traveler wishes to fly from Billings to Denver and then fly to Cleveland. In this scenario, the TMC will issue a government ticket for the following two legs of official travel: DC to Billings and Cleveland to DC. The traveler will purchase a cash ticket for his flights from Billing to Denver and then on to Cleveland. His reimbursement for this cash ticket will be the lesser of the cost of the city pair ticket from Billings to Cleveland or his cash ticket from Billing to Denver and then on to Cleveland.

Lastly, two reminders: (1) the traveler is responsible for any additional fees of the TMC that may result from travel by an indirect route and directly pays the TMC; and (2) Travel Policy limits the number of days of leave to no more than one leave day for each lodging night of the official travel, not to exceed three days of leave total for a given trip. (Note: Weekend and holidays are not considered "leave" days.)

10. **QUESTION:** Must we always purchase all airline and train tickets through OMEGA (directly or via GovTrip), or will the new May 11 OMB guideline promoting the use of non-contract air carriers [Section 2c] and collecting refunds "for Federal employees who have purchased airfare" [Section 2f] allow us to purchase our own non-refundable tickets to save money, and then be reimbursed from our CAN?

10. **ANSWER:** Per Federal Travel Regulation, common carrier travel arrangements must be made by the Travel Management Center (OMEGA), unless the travel is in remote areas, OCONUS, where it is not possible to use the government-contracted travel management services for arranging for this transportation.

11. **QUESTION:** Regarding "No Cost Travel Orders", does the traveler have to go through the TMC? If the sponsor pays for the registration fees and all other costs except air fare, for example, can the traveler voluntarily pay this travel cost thus creating a "No Cost Travel Orders" scenario?

11. **ANSWER:** "No Expense to Government" travel refers to a situation when ALL of the travel is voluntarily paid by the individual which is only permitted under the Government Employee Training Act (GETA). For this travel, a traveler does not have to go through the TMC. Additionally, the traveler is not eligible to use the government travel programs since s/he is not traveling on Temporary Duty Travel. This includes the City Pair Programs, Car Rental Agreement, and the use of the Government Travel Charge Card.

Anytime a non-Federal sponsor provides for reimbursement, whether in a direct reimbursement to the appropriation, or in-kind, the employee must follow the policy in Chapter 7 of the 2012 HHS Travel Manual. The employee may not waive the entitlement to the items that are not paid for by the non-Federal sponsor, as it is the responsibility to reimburse the traveler if they are traveling on temporary duty travel in an official capacity, Section 3.1.7.1. Thus, in this example, a “No Cost Travel Order” scenario does not exist as the employee cannot voluntarily pay the airfare. Rather, the cost of the airfare is the responsibility of NIH.

12. **QUESTION:** For combination travel - - personal plus official - - is it necessary that the ticket be obtained through the TMC?

12. **ANSWER:** Refer to the answer provided by question #9.

13. **QUESTION:** Can a traveler, who is approved for travel via Coach Class, utilize the TMC to obtain a Premium Class (either First Class or Business Class) ticket and then reimburse the Government for the difference?

13. **ANSWER:** No. The employee would have to personally make arrangements with the airline directly to upgrade the ticket, using Frequent Flyer miles or pay out-of-pocket for an upgrade. Otherwise, the reports required to be submitted by the TMC to GSA would show an incorrect fare code and create unnecessary scrutiny from GSA and OMB for such Travel. (Note: Federal agencies must send annual reports for premium class travelers - - to include type of ticket, name of traveler - - to the Department, who also reports the information to GSA and OMB. If paid directly to the Airlines by the traveler, it would not have to be reported by the Government, since the Government didn't authorize or pay for the other than coach class upgrade.

14. **QUESTION:** Does the new travel restrictions have any adverse effect on requests for reasonable accommodations for individuals with disabilities?

14. **ANSWER:** If a person who needs reasonable accommodations is traveling as part of their approved official duties, these costs must be borne by the IC as part of their travel budget. The limited budget should not be used as an excuse to disallow travel when it is appropriate for individuals with disabilities. With respect to the spending efficiency mandates, there is no separate exclusion category for travelers requiring reasonable accommodations.