



Navigating DoD Travel 2023





Guiding Principles

5 C.F.R §2635.101(b)



- #7 Public office may **not** be used **for private gain**
- #9 Federal property may be used only for authorized purposes
- #14 Employees shall avoid creating the **appearance** that they are violating the law or ethical standards

An officer or employee who willfully uses or authorizes the use of a passenger motor vehicle or aircraft owned or leased by the United States Government (except for an official purpose authorized by section 1344 of this title) or otherwise violates section 1344 shall be suspended without pay by the head of the agency. The officer or employee shall be suspended for at least one month, and when circumstances warrant, for a longer period or summarily removed from office.

-- 31 U.S.C. §1349(b) --



Use of **Government** Transportation

- May be authorized **only** for persons whose transportation benefits the Government
- Transportation must be scheduled and arranged to be the most **cost-effective for the Government**, **not** to maximize **the personal convenience of the traveler**
- Government transportation **rules must be applied uniformly** and not to selectively benefit someone solely because of rank or position

Modes of Transportation

Once use of a Government vehicle is determined to be essential to the performance of official business, the following **modes of transportation shall be considered in the following order**, to the extent available and capable of meeting mission requirements:

- Scheduled DoD bus service, DoD Bus Agreement
- Scheduled public transportation
- DoD motor vehicles
- Rental Car, U.S. Government Rental Car Agreement
- **Voluntary** use of privately owned vehicle (POV) (reimbursable)
- Taxi, **Rideshare** (*Transportation Network Company*) (reimbursable) JTR 020213-B



Routing of Travel

- Travel by the **usually traveled** route, unless a different route is “officially necessary” JTR 050202
- *Vacation to TDY to Vacation or Residence or Permanent Duty Station* JTR Part E
- *Residence (even if away from PDS) to TDY to Residence or PDS*



Gov Air Travel



Military Air “MILAIR” DoDD 4500.56

There are some “**required users**” of Military Air **for ALL travel** (Official and Unofficial):

Secretary of Defense

Deputy Secretary of Defense

Chairman, Joint Chiefs of Staff

Vice Chairman, Joint Chiefs of Staff

(only when acting as Chairman, JCS)

Gov Air Travel

MILAIR

There are some “**required users**” of Military Air for Official Travel Only:

Military Department Secretaries

Vice Chairman, JCS

Chiefs of Military Services

Commanders of:

- International Security Assistance Force – Afghanistan (US only)

- United States Forces, Korea

- Combatant Commands

Gov Air Travel

MILAIR

Other “required users” of Military Air for Official Travel Only:

Under Secretaries of Defense for:

- Intelligence
- Policy

Omitted: USD(P&R); USD(C); USD (R&E); USD (A&S) – **unless** “exigencies of their travel needs prevent the use of commercial aircraft”



Gov Air Travel

MILAIR

Possible “exigencies”:

- Highly unusual circumstances present a clear and present danger or other emergency; or
- Compelling operational considerations make commercial transportation unacceptable (risk).

Gov Air Travel

MILAIR



May be used by others for non-official business:

- **Must be accompanying** a DoD or other Federal official who is traveling on Military Air on official business; and
- **May not displace official travelers** or require larger aircraft; and
- **Travel cost is reimbursed; and**
- Travel must be **approved in advance**, in writing, on a case-by-case basis.

Commercial Air Travel



GSA City Pair Program

- **Must use** contract with air carriers for typical business routes JTR 020206-M
- **Many benefits** like refundable, no change ticket or cancel fee, no black outs
- Prefer travel during normal working hours
- Comp Time for Travel during non-duty hours 5 U.S.C. § 5550b

Commercial Air Travel

- **Employees**/dependents on official business **shall use coach-class** for domestic and international travel.
- Employees shall ascertain their travel requirements in **sufficient time to book coach**-class accommodations.



Commercial Air Travel

- Premium Class travel

aka First and Business Class

- Exceptionally rare; must be **reported**

- **High-level approval required** prior to travel JTR Table 2-5

- DTMO **Decision Support Tools** help

- <https://www.travel.dod.mil/Policy-Regulations/Joint-Travel-Regulations/Supplements/>

Premium Class Travel

- Considered **anything more expensive than Economy or Coach**
- **JTR Appendix A** defines certain classes under the term **“Accommodation”**
 - First Class is the most expensive accommodation
 - Business Class is often between First Class and Economy/Coach
 - Economy/Coach is the least expensive (but there are variations)



Premium Class Travel



- **Plan** in advance, except for extenuating circumstances or emergency situations
- Absent specific authorization/ approval, the **employee shall be responsible for all additional costs** resulting from the use of first class air accommodations.

Premium Class Travel



- Justifying First Class Travel:
 - **Only** class available; or
 - Other classes **not “reasonably available”**
 - No requirement to arrive late or leave early in order to be able to use a coach seat.
 - Cost of the flight or other costs can help the AO decide the mission requirements.

Premium Class Travel

- Justifying First Class Travel (continued):
 - Exceptional **security** circumstances
 - Coach-class airline accommodations on foreign carriers do **not** provide **adequate sanitation or health standards**, and the **use of foreign flag** air carrier service has been **approved**
 - Required for agency **mission**
 - Medical condition substantiated by “competent medical authority” (e.g., “disability”) → **Reasonable Accommodation**



PC: Reasonable Accommodation

- Disability JTR 020206-K, Appendix A
 - A traveler must provide **written** certification by a **competent** medical authority to obtain a travel accommodation for a disability.
 - Written certification **must substantiate the disability**, its **functional limitations**, the **necessity of any recommended travel accommodation**, **and** the **duration of any recommended travel accommodation**.

PC: Reasonable Accommodation

- Disability:
 - **Temporary disability**, a traveler must obtain **recertification after the certified duration expires**, or otherwise as appropriate.
 - **Lifelong disability**, a traveler is not required to recertify the disability itself, but must **recertify the necessity of the travel accommodation if the disability remits or intensifies**.

~~XXXXXXXXXX~~
A Professional Corporation
NEUROLOGY

~~XXXXXXXXXX~~
ALAMEDA, CA. 94501
~~XXXXXXXXXX~~

EEG, EMC &
EVOKED RESPONSES

6/24/09

To Whom It May Concern,

Because of her medical
condition, ~~XXXXXX~~ ~~XXXXXX~~ should
fly first class.



PC: Reasonable Accommodation

- AO should consider **physical characteristics** when deciding class of travel
- Before *recommending* premium class travel, **the AO must consider:**
 - “Economy Plus” / “Coach Elite” / Bulkhead seating or two coach/economy class seats
- **Only** a JTR Table 2-5 official can approve Premium Class travel

Business Class Travel

- Justifying Business Class Travel:
 - **Only** premium class accommodations available
 - **Space is not available in economy/coach** on any scheduled flight in time to accomplish the purpose of the official travel, which is so urgent it cannot be postponed

Business Class Travel

- Justification (continued):
 - Reasonable accommodation substantiated by “competent medical authority”
 - Exceptional security circumstances
 - Results in overall savings to the Government
 - Required for agency mission

Business Class Travel

- Justification (continued):
 - Obtained as an accommodation upgrade through the redemption of employee's frequent traveler benefits.
 - Transportation is paid in full through the DoD component's acceptance of travel benefits from a non-Federal source
 - Poor sanitation or health standards in coach

Business Class Travel

- Justification (continued):
 - Looooong Flight
 - **Several Time Zones**; and
 - Origin or Destination **outside CONUS**; and
 - **TDY cannot be delayed** or postponed; and
 - Scheduled **flight time in excess of 14 hours, without rest** en route or at TDY site before commencing duties at TDY site
 - **Only** used for flight **to TDY location**, not return!

Business Class Travel

Avoid 14-Hour Rule Upgrade

1. **Arrive** one day **early to** allow **rest**; or
2. **Rest stop** (no more than 24 hours), and **arrive** on the **day** the **TDY starts**

Business Class under this rule may only be used if traveler **must** arrive on the day the TDY starts, without a rest en route.

Business Class Travel

- JTR Provision, section 020206-J3
 - The **flight length alone is insufficient** justification to authorize/approve business-class travel.
 - The **AO must first consider using economy or coach**-class fare and scheduling the traveler to arrive the day before TDY begins to allow appropriate rest.

Business Class Travel

- JTR (continued)
 - Another option: use economy or coach and arrange a **rest stop**, preferably at a no-cost point allowed by the airline with the traveler arriving on the day TDY starts. JTR Table 2-1; https://www.travel.dod.mil/Portals/119/Documents/JTR/Rest_Stop_Examples.pdf
 - Another option is to use business-class accommodations with a scheduled arrival on the day TDY starts.

Travel time in excess of 14 hours

- Justification: **TDY mission** was **so unexpected** that traveler was **unable** to schedule a flight arriving the day prior to allow rest before starting work or a layover en route to allow rest before traveling on to the destination to begin work **JTR Table 2-4 #11**
- When using **travel time to justify business** class accommodations, the authorizing/approving official must ensure the travel authorization clearly states:
 - When the TDY travel was identified;
 - When travel reservations were made; and
 - The cost difference between coach-class and business-class accommodations.



DIRECTOR OF ADMINISTRATION AND MANAGEMENT
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

JUN 16 2023

MEMORANDUM FOR UNDER SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR OF COST ASSESSMENT AND PROGRAM
EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
DIRECTOR OF OPERATIONAL TEST AND EVALUATION
CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF
DEFENSE
ASSISTANT SECRETARY OF DEFENSE FOR LEGISLATIVE
AFFAIRS
ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL
OPERATIONS AND LOW INTENSITY CONFLICT
ASSISTANT TO THE SECRETARY OF DEFENSE FOR PRIVACY,
CIVIL LIBERTIES, AND TRANSPARENCY
ASSISTANT TO THE SECRETARY OF DEFENSE FOR PUBLIC
AFFAIRS
CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER
DIRECTOR OF ADMINISTRATION AND MANAGEMENT
DIRECTOR OF NET ASSESSMENT
DEFENSE AGENCY AND FIELD ACTIVITY DIRECTORS

SUBJECT: Approval Authority for Premium Class Travel Upgrades for Personnel of OSD,
Defense Agencies, DoD Field Activities, and Similar Entities

References: (a) DoD Instruction 5154.31, Volume 2, "Commercial Travel Management:
General Travel Provisions, October 16, 2015
(b) Joint Travel Regulations, "Uniformed Service Members and DoD Civilian
Employees," current edition
(c) Director of Administration and Management Memorandum, "Premium Class
Travel Program," November 4, 2007 (hereby rescinded)

For purposes of this memorandum, "premium class travel" refers to other than economy
or coach class travel, such as first-class travel or business-class travel, and any other premium
travel like premium economy class. Per references (a) and (b), the Director, Administration &
Management (DA&M) is the approval authority for:

(1) first-class travel for DoD personnel assigned, attached, or detailed to OSD, Defense
Agencies and DoD Field Activities (DAFAs), and similar entities under the authority, direction
and control of a Principal Staff Assistant (PSA) (e.g., the Uniformed Services University of the
Health Sciences or the Defense Acquisition University);

(2) any premium class travel for PSAs or individuals either acting in that capacity or
performing the duties thereof;

(3) any premium class travel for committee members, experts, and consultants appointed to DoD-supported Federal advisory committees, and DoD personnel assigned, attached, or detailed to DoD-supported Federal advisory committees, where one of the PSAs has been designated as the DoD Sponsor; and

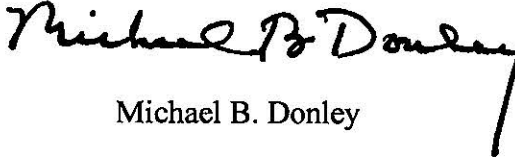
(4) any premium class travel for special guests of DoD sponsored by one of the PSAs, DAFAs, or special guests of a DoD-supported Federal Advisory Committee where one of the PSAs has been designated as the DoD Sponsor.

I am delegating the authority to PSAs to approve business-class travel or other premium class travel (but not first-class travel) for DoD personnel assigned, attached, or detailed to their OSD Office, and the DAFAs or similar entities operating under their authority, direction and control. PSAs may further delegate this authority in writing to their subordinate leadership, but no lower than a three-star military officer or civilian equivalent as indicated by the current DoD Order of Precedence memorandum.

DoD personnel may not approve their own premium class travel upgrades, and subordinates may not approve their supervisor's premium travel upgrades.

All requests for premium class travel upgrades must comply with current applicable policy as set forth in references (a) and (b), and, if the request is being made as a request for an accommodation of a disability, be processed in accordance with sections 501 and 504 of the Rehabilitation Act of 1973 (codified at 29 U.S.C. §§ 791, 794).

My point of contact for this memorandum is Mr. Doug Nichols, 703-697-8016, rayford.d.nichols.civ@mail.mil.


Michael B. Donley

RESTRICTED

Airfare


- The AO may authorize or approve restricted airfares when offered to the general public and if trip cancellation would not impose significant costs.
- If City Pair Program fare is available, the **AO must use the Restricted Fares Checklist** when considering the approval of restricted airfares.

https://www.travel.dod.mil/Portals/119/Documents/JTR/Supplements/Restricted_Airfares_Checklist.pdf

RESTRICTED Airfare

- **No blanket approval**, but can be considered on a case-by-case basis.
- For City Pair Program routes, if the contract carrier offers a lower fare, the **traveler must use that airline's restricted fare** before selecting another airline's restricted economy or coach airfare.

RESTRICTED Airfare

- No City Pair Program fare? Traveler should use the **lowest cost coach** fare that meets mission requirements.
- The AO must consider **if a restricted fare is authorized, then later canceled or changed for official reasons** (not for the personal convenience of the traveler), **the USG is pays for excess costs.**  **Risk**

RESTRICTED

Airfare Tips

- **Request assistance** from Travel Management Company to book.
- **Timely discussions with AO and TMC** to assure timely approval and ticketing to meet Restricted Airfare requirement.

Commercial Air Travel

Involuntary denied flight boarding

- Must contact TMC to book new flight if there will be added cost to USG
- Any compensation for the denied seat belongs to the Government
- “Treasurer of the United States” is payee for any compensation JTR 020206-M3

Frequent Flyer Benefits

- Old Rule: Benefits belonged to the Government
 - If you commingled benefits, all of them belonged to the Government
- Current Rule: **Benefits belong to the Employee**
 - Section 1116 of P.L. 107-107 (National Defense Authorization Act of 2002)





Benefits

- **Includes** frequent flyer miles, upgrades, access to airline clubs or facilities
- **Applies** to employees, family members and dependents who receive promotional items while traveling for the Government
- **All** promotional items received before, on, or after enactment of the law (2002)



Promotional Benefits

- **Applies *when*** travel is at the expense of the Government or **accepted from a non-Federal source**
- **Applies *to all promotional items*** obtained while on official travel – including airlines, hotels, and car rental companies

Air Travel -- Contractors

- Contractor employees **cannot** be issued Invitational Travel Authorizations

Joint Travel Regulations, p. Intro-1 and 030501-D6

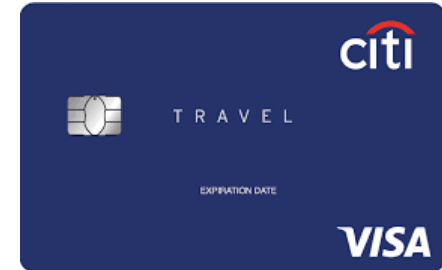
- Travel costs of Government **contractors** **are governed by FAR** provisions relating to contract expenses

Air Travel -- Contractors

- Contractors may **sometimes** fly MILAIR
 - When **required** by Government Official
 - Contemplated by the contract **to fulfill requirements of the contract**
- Generally, travel-related items restricted to Government employees may **not** be given to contractors (absent a USG affiliation, e.g. military).

Government Travel Charge Card

Must Use It



- Public Law 105-264, January 27, 1998, mandates the use of a government furnished travel charge card
- **But “Infrequent” travelers are exempt**

GTCC

Failure to Pay It

- Public Law 105-264 permits your agency to **offset** amounts owed to the travel card company **from employees' salaries**.
- Offset **up to 15%** of salary are permissible.
- This is discretionary—there may be union consultation issues.

GTCC

Prompt Reimbursement

- Public Law 105-264 mandates reimbursement of travel expenses by agencies to employees **within 30 days**
- This assures that the traveler will have the money to pay the Government Travel Charge Card when the bill comes due

Car Rental on Official Travel

- **U.S. Government Rental Car Agreement**
 - Managed by DTMO, benefits to the USG
 - JTR 020209 can allow for rentals, if:
 - <https://www.travel.dod.mil/Programs/Rental-Car/>
- **Use of Rental Vehicle**
 - **May be “official use”** generally if limited to places required **for traveler’s subsistence, health, or comfort, BUT:**
 - DoD prohibits other personal use =
 - **Personal Liability** for Accident – Ouch!





Final Point

THE JOINT TRAVEL REGULATIONS (JTR)

UNIFORMED SERVICE MEMBERS AND DOD CIVILIAN EMPLOYEES

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U.S. Department of Defense

4800 Mark Center Drive

Suite 04J25-01

Alexandria, VA 22350-9000

<https://www.travel.dod.mil>

