

Contributed Travel Points

Meeting or Similar Function

The trip must be for a **meeting or similar** function and **under 3 weeks**. If the trip is over 3 weeks, an agreement needs to be put in place. Offers of funding accepted include registration fee, lodging, meals, and transportation. **NOTE: TMC Fees and Voucher Fees may not be paid by the Sponsor, so please check prior to adding to AD1101 for approval.**

Incidental Reimbursement

Although all lodging and meals are paid by an outside funding source, the traveler **is still entitled** to the incidentals rate reimbursement.

Verify meals

Make sure that meals are not automatically reimbursed to an employee if they were provided in-kind. Pay close attention to conference information. **Keep the Meeting Flyer for reference.** Ask the traveler to state what was provided by either completing a Unit Reimbursement Form or sending an email.

Extra Stops/Annual Leave

- Because it could be perceived by the public that an outside source paid for annual leave or a personal stop over, clear the plans prior to paperwork completion with the Location Travel Coordinator and Travel Specialist.
- Concur does not allow annual leave to be included in the authorization.
- Deviations to the official route and schedule are not to be recorded in the official record.
 - After the trip authorization has been approved and airfare has been ticketed, the traveler may work directly **with the airline** to change their airfare to include personal plans.

Airfare

If ARS is to pay for travel including the airline ticket, Concur must be used. Orbitz, Travelocity, etc. or other third-party providers are forbidden.

- If an outside funding source is purchasing the airline ticket in-kind, they may use any source.

Post Approval When Funding is Previously Approved FTR 304-3.13

If the Agency has already authorized acceptance of payment for some travel expenses from a non-Federal source, the employee may accept on behalf of the agency any additional payment of travel expenses from the same non-Federal source as long as:

1. The expenses paid or provided in-kind are comparable in value to those offered to or purchased by other similarly situated meeting attendees; and
2. The Agency did not decline to accept payment for those particular expenses in advance of travel.
3. Revisions of AD-1101 form package is not necessary when created in good faith.

Funding NOT Previously Approved

If the Agency did **not** authorize the acceptance of payment for travel expenses from a non-Federal source, the employee may accept on behalf of the agency only those types of travel expenses that were listed on the travel authorization. Example: meals, lodging, transportation.

1. No recreation or other personal expense
2. Only travel expenses that are within the maximum allowances stated on the travel authorization. Example: If the travel authorization states lodging expenses allowed are \$100 per night, the non-Federal source may not pay \$200 per night.
3. Submit request for Agency approval of acceptance of funds within **7 working days** after the trip ends.

Post Approval When Funding is Denied

If the Agency does not authorize acceptance from the non-Federal source, the Agency must either:

1. Reimburse the non-Federal source for the reasonable approximation of the market value of the benefit provided, not to exceed the maximum allowance stated on the authorization; or
2. Require the traveler to reimburse the non-Federal source and, if appropriate, allow the traveler to claim the expense on the voucher.

Penalties for Ethics Violation

If the expense accepted is in violation of the Ethics Policy, the traveler may be subject to the following penalties:

1. The traveler may be required, in addition to any other penalty provided by law and applicable regulations, to pay the general fund of the Treasury, an amount equal to any payment accepted.
2. In the case of reimbursement, the traveler will not be entitled to any reimbursement from the Government for travel expenses the payment was intended to cover.

SES, ST, SL and SSTS Approvals

Scientists that file financial disclosures every year must have their AD-1101 signed by Ethics. They include Scientific & Technical (ST), Senior Level (SL), Senior Scientific & Technical Service (SSTS) and Senior Executive Service (SES) positions. **ALLOW 15 DAYS** for Ethics approval.

1. The AD-1101 is signed by the traveler in Section V and the Supervisor in Section VI
2. Travel Arranger uploads AD1101 into Portal ticket for approval.
3. Travel Specialist submits to Area,
4. Area submits to Headquarters
5. Once Headquarters signs off as approved, AD1101 gets sent back to Area
6. Associate Area Director signs and returns fully approved AD1101 to Travel Specialist.
7. Travel Specialist uploads approval documents to Portal ticket and emails Travel Arranger the approval document to be uploaded to Concur and also sends acceptance letter via email to the Sponsor.

DO create AD-1101 form Package for:

- Entity writing the check or paying expenses
- Meetings or Similar Function
- Limited to 3 weeks or less

Do NOT complete AD-1101 form Package for:

- Site visits
- Phd Defense
- Vendor Provided Training
- Product Production
- Cooperative Agreements
- Fellowships (Fulbright)
- Negotiations (to produce agreement)

DO watch for:

- Part III 2. Specific Location of Event – include City, State or Country
- Part V Questions 1-4 must be answered
- Signatures required PART V 5. Traveler & Part VI Supervisor

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Domestic Outside Funds Checklist

Name of Traveler

Destination

Date of Travel

Date of Meeting/Conference

REQUIRED DOCUMENTS

1. Completed Travel Authorization (**DO NOT** include in Portal Ticket)

2. Letter of Invitation from outside Entity/Sponsor
(letterhead or email listing what will be paid;
Registration, airfare, lodging, per diem, ground
transportation, etc; in-kind or reimbursement) _____

3. AD1101, Approval and Report of Travel Funds Received
From Non-Federal Sources
Conflict of Interest Analysis (answer questions 1-6)
(signed by both traveler and supervisor)
PLEASE UPLOAD EDITABLE VERSION _____

4. Acceptance Letter for RL, CD, or AD approval/signature
(Letter should state what is going to be paid by Entity/Sponsor
and have the dates and location in the first Paragraph)... _____

5. If traveler (SES, STS, SSTS) **MUST** include Meeting Itinerary
Allow 15 days for SES Ethic's approval _____

Upload documents into a Portal Ticket, Travel Specialist will forward to AD for approval of outside funds.

ONCE DIRECTOR APPROVED:

1. Travel Specialist will upload approved documents into Portal ticket and forward approved documents to Travel Arranger.

TRAVEL ARRANGER WILL:

1. Upload approved documents to Concur.
2. Email Acceptance Letter to Sponsor.

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There are circumstances under which funds cannot be accepted at all. Violations of the rules often occur because the term “meeting or similar function”, for which outside funds might be accepted, has been misinterpreted. **“Meeting or Similar Function” means “a conference, seminar, speaking engagement, symposium, training course, or similar off-site event”.**

Travel that is NOT considered a “meeting or similar function” and thus CANNOT be supported with outside funds includes **investigations, inspections, audits, site visits, or litigation.** These are not frequently an issue for ARS employees. However, some others certainly are. Outside support **CANNOT** be used for travel related to **negotiations, vendor-provided training, long-term TDY, or other meetings held for the primary purpose of marketing a non-Federal source’s products.**

Several of these are very relevant to ARS employees:

- Outside funds for long-term TDY. The Ethics Office instructs us that it would not be appropriate for an Agency to accept payment for travel that exceeds **three weeks** duration.
- PhD thesis examination is not part of ARS Mission, and is not a meeting. It cannot be primary reason for travel.
- Travel for which specific provisions are made within a **Cooperative Agreement.**
- Travel funds associated with **Fellowships (Fulbright),** unless those are included in a formal agreement.
- Travel for “negotiations”. Basically, a negotiation is a discussion intended to produce an agreement; interested parties agree upon courses of action or craft outcomes which serve mutual interests. If an outside entity extends an invitation to an employee to visit their company to discuss possible future collaboration, i.e. agreements, acceptance of travel funds under this authority **is not appropriate.**

Another thing to keep in mind is that a Federal employee must not solicit the travel assistance. In other words, **you may not ask** for it.

Some ARS scientists serve as officers in organizations, and under these and certain other circumstances, they are offered in-kind travel support. Examples of this are airplane tickets bought by others and sent to the Federal employee, or a hotel bill that is actually paid by someone else. Here’s a scenario offered by the Ethics Office:

- An ARS scientist serves as the President of the Entomological Society of America (ESA) as an outside activity. The ESA is holding an annual conference and would like the ARS scientist to speak at the conference in his official capacity. The Vice-President of the ESA sends a letter to the ARS scientist extending an invitation to him to speak on behalf of ARS and offers to pay travel in-kind. The ARS scientist’s name is also included on the ESA letterhead as President.
- Financial interests of the ESA are imputed to this ARS scientist who serves as an officer, prohibiting him from participating “personally and substantially” in an official capacity in any “particular matter” in which he has a financial interest. **An Agency should not accept travel funds in -kind for an employee’s travel if that employee serves as an officer in the sponsoring organization.**

- Payment from any non-Federal sources shall not be accepted if a determination is made that acceptance would cause the public, with knowledge of all the facts, to question the integrity of USDA programs or operations.

For your information, below is the original interim rule and comments regarding 31 U.S.C. § 1353 = 41 CFR Parts 301-1 and 304-1. This is basis for our approach to acceptance of payment from a non-Federal source for travel expenses.

Ethics rules and their legal underpinnings are complex. That's why there is an REE Ethics Office. There are two ways to stay on the right side of the law and the ethics rules and avoid trouble and embarrassment.

The first is to become completely familiar with the laws, regulations and ethics issuances.

The other is simply don't accept any outside travel support without getting explicit approval from the Area Office.



Acceptance of Payment for Travel Expenses from a Non-Federal Source

Form AD-1101- Approval Procedure and Instructions

A. EMPLOYEE/TRAVELER INSTRUCTIONS

1. Obtain a copy of the invitation which **specifically includes the travel expenses to be covered** (email invitations accepted).
2. Complete Parts I-V of Form AD-1101.
3. Digitally sign and electronically submit the AD-1101, a copy of the invitation (which includes the specific offer to cover travel expenses), the agenda or other supporting documents, and an unsigned draft letter of acceptance (which is signed and sent after travel is approved), a model of which can be found at:
https://www.ethics.usda.gov/docs/forms/SAMPLE_LETTER_OF_ACCEPTANCE.doc, via email to your supervisor.
4. **Please Note:** When completing the travel authorization, indicate in the comments section if the travel expenses are **being reimbursed** by a non-Federal source or paid In-kind, i.e., the sponsor pays service providers directly.

B. SUPERVISOR RESPONSIBILITIES

1. Review AD-1101 for the following:
 - a. The travel expenses will be reimbursed **to the Agency or In-kind, i.e., the sponsor pays service providers directly.**
 - b. Attendance is for a **meeting or similar function** that is not mission essential.
 - c. The employee has been authorized to attend in his or her **official capacity.**
2. Complete Part VI (Immediate Supervisor's Review).
3. Digitally sign and electronically submit the AD-1101, the invitation, agenda or supporting documents, and draft letter of acceptance via email to the proper ethics mission area (see section D below), **at least 15 days prior to the expected travel.**

C. APPROVING AGENCY OFFICIAL RESPONSIBILITIES

1. Review conflicts analysis and complete Part VIII.
2. Digitally sign and electronically submit AD-1101, via email, to the Office of Ethics.

D. ELECTRONICALLY SUBMIT FORM AD-1101 (AND ATTACHMENTS) TO THE PROPER ETHICS PROVIDER

- **Departmental Administration, Filers of OGE 278 Public Financial Disclosure Reports, Political Appointees, and Staff Offices** (Office of the Assistant Secretary for Civil Rights, Departmental Management, Office of Budget and Program Analysis, Office of Communications, Office of Congressional Relations, Office of Advocacy and Outreach, Office of Homeland Security, Office of the Inspector General, Office of the Chief Economist, Office of the Chief Financial Officer, Office of the Chief Information Officer, Office of the Executive Secretariat, Office of the General Counsel, and Office of the Secretary Risk Management Agency), please submit your completed form and materials to: DAEO.ETHICS@OE.USDA.GOV
- **Farm Production and Conservation** employees (FSA, NRCS and RMA), please submit your completed form and materials to: ETHICS-FPC@OE.USDA.GOV
- **Food Safety** employees (FSIS), please submit your completed form and materials to: ETHICS-FoodSafety@OE.USDA.GOV
- **Food, Nutrition and Consumer Services** employees (CNPP and FNS), please submit your completed form and materials to: ETHICS-FNCS@OE.USDA.GOV
- **Marketing and Regulatory Programs** employees (AMS, APHIS and GIPSA), please submit your completed form and materials to: ETHICS-MRP@OE.USDA.GOV
- **Natural Resources and Environment** employees (FS), please submit your completed form and materials to: ETHICS-NRE@OE.USDA.GOV
- **Research, Education and Economics** employees (ARS, ERS, NAL, NASS and NIFA), please submit your completed form and materials to the appropriate Agency ethics provider found at: <https://www.ethics.usda.gov/docs/agency-ethics-contacts.pdf>
- **Rural Development** employees (RHS, RUS and RBCS), please submit your completed form and materials to: ETHICS-RD@OE.USDA.GOV
- **Trade and Foreign Agricultural Affairs** employees (FAS), please submit your completed form and materials to: ETHICS-TFAA@OE.USDA.GOV



**United States Department of Agriculture
Office of Ethics**

AD-1101

APPROVAL AND REPORT OF TRAVEL FUNDS RECEIVED FROM NON-FEDERAL SOURCES

Note: Certain information collected on this form, for gifts of travel greater than \$250, is provided to the US Office of Government Ethics semiannually for review and is publicly available at <https://www.oge.gov/Web/oge.nsf/Travel%20Reports?openview>

PART I: EMPLOYEE INFORMATION

1. Name	2. Position Title	3. Pay Plan-Series/Grade
3. Duty Location (Address)	4. Ethics Provider: (USFS and REE Agencies Only Select Division or Agency)	
5. Telephone	6. Email Address	

PART II: SPOUSE'S TRAVEL (IF APPLICABLE)

1. Name	2. Departing Travel Date	3. Return Travel Date
4. Reason for Spouse's Travel		

PART III: EVENT INFORMATION

1. Kind of Event (select all that apply):
 Meeting Seminar Conference Speaking Engagement
 Other (specify):

2. Specific Location of Event
Include city, State or Country

3. Title of Event

4. Description or Purpose of Event
No Acronyms on the form

5. Event Start Date	6. Event End Date	7. Departing Travel Date	8. Return Travel Date
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9. Name of Benefit Source (name of non-Federal source covering your travel expenses)

10. Name of Event Sponsor (list only if different than Item 9, above)

PART IV: ACCEPTANCE INFORMATION

1. Select which expenses below are being covered by the non-Federal source and their value in dollars -- (leave blank if not applicable).

Expenses	In-Kind* (Value in Dollars)	Paid to Agency (Value in Dollars)

2. List other expenses:

Fill out to match the offer letter which should state specific expenses.

* Sponsor waives fees/pays service providers directly. **TOTALS:**

PART V: CONFLICT OF INTEREST ANALYSIS UNDER 41 C.F.R. Section 304-1.5 (Traveler Completes Items 1-5 Below)

1. The identity of other expected participants at the event (identify by category, e.g., federal employees, university employees, members of the media, politicians, etc.);

2. List any pending or prospective matters (e.g., contracts, collaborations, partnerships, agreements, assignments, etc.) at the agency that include or affect this non-federal source. Describe these matters and their potential effect on the non-federal source;

This question is different from the old form, and many aren't reading it. The "N/A" response is no longer acceptable. They must either answer the question or enter "None."

3. Explain the employee's involvement in any such matter specified above;

4. **ANALYSIS:** Would acceptance of the travel expenses from this non-Federal source cause a reasonable person with knowledge of all the facts relevant to a particular case to question the integrity of agency programs or operations? Yes No

Explain your response to the above question:

5. I certify that the information provided on this form and all attached documents are true, complete, correct, and comply with the guidelines of 41 CFR Part 304-1, Federal Travel Regulations, Acceptance of Payment from a Non-Federal Source, for travel expenses, to the best of my knowledge.

Traveler's Signature

Date

Forward (1) This completed Form, (2) A copy of the invitation that includes the offer of monetary support, (3) agenda, and (4) the draft letter of acceptance to your immediate supervisor for review.

PART VI: IMMEDIATE SUPERVISOR'S REVIEW		
I certify that this employee has been assigned to travel to the above noted event in his or her official capacity, and that his or her attendance furthers the agency's mission.		
1. Immediate Supervisor's Name	2. Telephone	3. Email Address
4. Immediate Supervisor's Signature		5. Date
Please forward (1) this completed form, (2) a copy of the invitation that includes the offer of monetary support, (3) the agenda, and (4) the draft letter of acceptance via email to the appropriate ethics mission area for review, <u>at least 15 days prior to the travel.</u>		
PART VII: RECOMMENDATION OF USDA ETHICS OFFICIAL		
1. Name of USDA Ethics Official	2. Title of USDA Ethics Official	
3. Request as described above complies with the applicable ethics rules and statutes.		
4. Request as described above <u>does not comply</u> with the applicable ethics rules and statutes.		
<i>Note: The authorized agency official may find that, while acceptance from the non-Federal source is permissible, it is in the interest of the agency to qualify acceptance of the offered payment by, for example, authorizing attendance at only a portion of the event or limiting the type or character of benefits that may be accepted.</i>		
5. Comments or Qualifications on Acceptance		
<p>If SES, Ethics electronically signs here.</p> <p>If not SES, the AD or AAD signs here.</p>		
6. Ethics Advisor's Signature		7. Date
PART VIII: APPROVING AGENCY OFFICIAL'S DETERMINATION		
I certify that, after reviewing the submitted materials, I, the undersigned <i>Approving Agency Official</i> , <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove acceptance of the unsolicited offer of travel, subsistence, and/or related expenses from the non-federal source in advance of the proposed travel being accomplished by the employee. <i>Note: The authorized agency official may find that, while acceptance from the non-Federal source is permissible, it is in the interest of the agency to qualify acceptance of the offered payment by, for example, authorizing attendance at only a portion of the event or limiting the type or character of benefits that may be accepted.</i>		
Comments:		
<p>AD or AAQD electronically signs this section.</p>		
1. Approving Official's Name	2. Telephone	3. Email Address
4. Approving Official's Signature		5. Date
Must return this form after rendering a decision to the appropriate ethics provider (see Section D in the Instructions above) to comply with Office of Government Ethics Semiannual Reporting Requirements.		

- (3) Identity of other expected participants;
- (4) Nature and sensitivity of any matter pending at the agency which may affect the interest of the non-Federal source;
- (5) Significance of the employee's role in any such matter; and
- (6) Monetary value and character of the travel benefits offered by the non-Federal source.

"(b) The agency official may find that, while acceptance from the non-Federal source is permissible, it is in the interest of the agency to qualify acceptance of the offered payment by, for example, authorizing attendance at only a portion of the event or limiting the type or character of benefits that may be accepted."

2. Indicate your disposition in Part VIII, i.e., either "Approve" or "Disapprove" the Agency's acceptance of travel, subsistence and related expenses.
3. Sign and return the completed AD-1101 form to the Travel Coordinator or Employee's Supervisor, as appropriate.
4. Sign the acceptance letter addressed to the non-Federal source and, if the Agency is accepting the gift of travel, and return it to the Travel Coordinator or Employee's Supervisor, as appropriate.

NOTE: All §1353 travel requests, **regardless of the amount**, must be submitted on the Form AD-1101 to the Office of Ethics for a conflicts review. Certain information collected on the AD-1101, for gifts of travel greater than \$250, is provided to the US Office of Government Ethics semi-annually for review and is publicly available at <http://www.oge.gov/Open-Government/Travel-Reports/Travel-Reports>.



*We CANNOT ASK for \$, so the letter cannot say, '...at your request'.

Dr. Les Szabo
USDA-ARS Cereal Disease Laboratory
St. Paul, MN 55108
USA

Include:

EXAMPLE

- *Traveler's Role
- *Answer what the traveler is doing while there
- *List resources that are provided
- * Must be a MEETING or similar function
- * Ph.D defense should be SECONDARY, not primary reason
- *Field plot work should be SECONDARY not primary

Dear Les,

Thank you very much for accepting a partnership in our new research project: Multiple disease resistance in wheat. It would be useful if you could visit us in the beginning of July so we can plan the collaboration in more detail.

Learning more about your research experiences for molecular genotyping of stem rust would be great, and we look forward to hear about the resent results, which among others are based on isolates submitted from our group.

We will cover your travel expenses in-kind, i.e., a return economy class air-ticket between USA and Denmark, accommodation and meals during your visit and domestic travel in Denmark. We have direct train connections from Copenhagen airport to Slagelse, which is approximately 10 km from the institute.

We hope that you will be able to give a research seminar during your visit, e.g., highlighting your current wheat rust research activities in your lab in Minnesota.

You may also use the opportunity to join the 14th International Cereal Rusts and Powdery Mildews Conference, which will take place from July 5-8 in Helsingør, north of Copenhagen, less than 2h from the institute by car or train and only 45 min by train from Copenhagen main station. However, we are unable to cover your expenses for registration, accommodation and meals during the conference.

Don't hesitate to contact us for additional support for the logistics in connection with your travel.

Professor
Plant Pathology

DEPARTMENT OF
AGROECOLOG

Mogens Støvring Hovmøller
Professor

Date 23rd March 2015

Phone: +45 8715 6000

Email: mogens.hovmoller@agrsci.dk
Web: www.agrsci.dk/
www.wheatrust.org

CVR No: 57607556

EAN-No: 5798000877504

**eMail version will be accepted
if the complete header, date,
etc is included.**

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Paragraph 1 specify reason for attendance, city, state, country and date of funding.

Paragraph 3 specify funding received.

Bullet 3 specify AO or delegated person's name.

Last paragraph provide bullet 3 contact, name, address, phone.

Font: 11.5 or 12
Margins: Normal

DO NOT DATE

Name Spell out state name everywhere

Address
City, State, Zip, Country (if outside Us)

On first mention of a name, list the first and last name.

Dear Dr. Jones: Use Colon:

I am pleased to learn the work of **Dr. Kevin Jones** has been found to be of a level of significance and quality to warrant your invitation to *present (must specify reason for attendance)* at the 5th National Symposium on Plant Soil Interactions at Low pH to be held in **South Williamsport, Pennsylvania, August 21 - 23, 2010.**

I understand that your organization has had significant findings in the pH balance levels required for a variety of plant growth which would complement our recent Agency studies in soil and plant sciences. I'm confident that you will find **Dr. Jones'** research in pH balance quite beneficial to your ongoing work. In view of the mutual benefits to be gained from this meeting, Agricultural Research Service (ARS) accepts your invitation on behalf of **Dr. Jones.**

Thank you for your offer to finance the registration fee, hotel costs, round trip travel, and per diem for **Dr. Jones'** participation. ARS will finance **Dr. Jones'** salary while participating in the symposium. Please understand that as a Federal employee Dr. Jones must adhere to certain administrative procedures related to the travel arrangements and attendance at the symposium. I would like to communicate several of those procedures as follows:

- Since **Dr. Jones** will participate in the activity as a Federal employee, no honoraria may be accepted. Dr. Jones may not accept any form of direct payment (cash or check) to defray the cost of travel and trip expenses.
- You may provide "in kind" assistance, whereby you furnish airline tickets or pay vendors directly for lodging, meals, local transportation, etc.
- If "in-kind" assistance cannot be provided, **Dr. XXX** will travel on ARS funds and upon completion of **his/her** travel; ARS will submit receipts for travel expenses incurred directly to your organization for reimbursement. Should you have any questions regarding these arrangements, please contact **XXX – (provide administrative contact at your location).**

Please contact **(Name, title, and address), at (telephone number)** for questions pertaining to financing arrangements.

Sincerely,



Note: "at" phone number

ROBERT L. MATTERI
Director, Midwest Area

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SAMPLE LETTER OF ACCEPTANCE

[Prepare on Agency letterhead with a signature block for the Agency Approving Official. Send to the nonfederal sponsor after an Agency Ethics Official completes the Conflicts Analysis and the Agency Approving Official determines the agency may accept the travel gifts.]

DATE *[Include the date the Agency Approving Official signs.]* **We cannot deviate from the Ethics requirements for each paragraph**

Dr. I. M. Smith
Chairman, Organizing Committee
CNMPS/ENA
Williamsport, Pennsylvania 17707

Dear Dr. Smith:

I am pleased to learn the work of Dr. *[FIRST NAME LAST NAME]* has been found to be of a level of significance and quality to warrant your invitation to *[SPECIFY REASON FOR ATTENDANCE]* at the *[INCLUDE EVENT INFORMATION]* **FOR EXAMPLE:** 5th National Symposium on Plant Soil Interactions at Low pH to be held in South Williamsport, Pennsylvania, August 21 - 23, 2014. *[INCLUDE STATEMENT IDENTIFYING BENEFIT TO USDA]* **FOR EXAMPLE:** I understand that your organization has had significant findings in the pH balance levels required for a variety of plant growth which would complement our recent Agency studies in soil and plant sciences. I'm confident that you will find Dr. **XXXX's** research [in pH balance] quite beneficial to your ongoing work *[OR]* to conference attendees. In view of the mutual benefits to be gained from this meeting, *[AGENCY]* accepts your invitation on behalf of Dr. **XXXX**.

Thank you for your offer to finance the *[ITEMIZE THE EXPENSES THE SPONSOR HAS OFFERED TO PAY]:* registration fee, two days' lodging, round-trip air travel, and per diem for Dr. **XXXX's** participation *[DO NOT USE CATCHALL PHRASES SUCH AS "OTHER ASSOCIATED TRAVEL EXPENSES" or ALL TRAVEL EXPENSES].* *[AGENCY]* will finance Dr. **XXXX's** salary while participating in the symposium. Please understand that, as a Federal employee, Dr. **XXXX** must adhere to certain administrative procedures related to the travel arrangements accepted. **XXXX** at the symposium will accept direct reimbursement for cash for expenses as follows:

- You may provide "in-kind" assistance, whereby you furnish airline tickets, pay vendors directly for lodging, meals, local transportation, etc., or waive associated costs.
- If "in-kind" assistance cannot be provided, Dr. **XXXX** will travel on *[AGENCY]* funds and, upon completion of **his/her** travel, *[AGENCY]* will submit receipts for travel expenses incurred directly to your organization for reimbursement. Should you have any questions regarding these arrangements, please contact **XXX** – *[PROVIDE ADMINISTRATIVE CONTACT AT YOUR AGENCY.]*

Please contact *[NAME, TITLE, AND ADDRESS OF AGENCY BUDGET CONTACT]*, *[TELEPHONE NUMBER]*, for questions pertaining to financing arrangements.

Very truly yours,

[Sign after Ethics Official completes the Conflicts Analysis.]

Approving Official's Name and Title

[The traveler's supervisor in most cases is the Agency Approving Official.]

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Date

SAMPLE ONLY
Invoice in letter form on
Location Stationery

Sponsor Name
Sponsor Address
City, State, ZipCode

This is an invoice for airfare for John Doe, travel October 22-24, 2018 as invited speaker at the 4th Annual Coffee Bean Lecture Series.

Locator Code: ABCDE
Dates: October 22-24, 2018
Travel: Round Trip Airfare – Minneapolis, Minnesota to Denver, Colorado
Airfare: \$1,250.00
Receipts attached

Please make check payable to USDA, ARS.

Sincerely,

RL's signature block

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Correspondence Preparation Notes

1. Letterhead: Be sure the letterhead is appropriate for the signer.
2. Do not use "justified" margins.
3. Always use title (Dr., Mr., Mrs., Ms.) on letters.
Do not use two titles on same line (Dr. John Doe, President - not acceptable).
4. Do not abbreviate State name in the inside address. Always show the zip code in the address.
5. Do not use titles on the TO: line in memos (TO: Dr. John Doe - not acceptable).
6. Correspondence of a single paragraph and 10 lines or less: Double space the body of the letter.
7. Acronyms: The first time referring to a word to be abbreviated, write it out with the acronym following in parentheses. For example, Agricultural Research Service (ARS); fiscal year (FY).
8. Federal Government - always capitalized.
9. State is capitalized when referring to States in the United States (State of Maryland; State, Federal, local).
Do not capitalize when used in a general sense (state of mind; a foreign state)
10. Dates - a comma is needed after the year when you have the complete date in a sentence (In your letter dated April 22, 2003, you requested information . . .). When only month and year are used in a sentence, no commas are used (April 2003).
11. Agency is capitalized when referring to our Agency (ARS). When referring to other agencies, put in lower case.
12. ARS' (not ARS's) when showing possession.
13. We do not use "the Department" in outgoing correspondence. The USDA acronym is to be used.
14. Comma (,) before conjunction in a compound sentence.
15. Use a comma (,) after each member within a series of three or more words, phrases, letters, or figures used with and, or, or nor.
16. "Agencywide" is one word, not "Agency wide."

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ACCEPTANCE OF TRAVEL FROM NON-FEDERAL SOURCES

AUTHORITY

The authority (31 U.S.C. 1353 and 5 U.S.C. 5707) to accept travel expenses from non-Federal sources permits Federal agencies to accept the gift of financial support for travel of its employees to attend meetings or similar functions that employees have been authorized to attend in an official capacity, provided the value to the agency offsets any possible appearance problem that may attach to the acceptance. The approving official must be able to justify the need for participation in an event and the benefit gained by the agency. The agency official may find that, while acceptance from the non-Federal source is permissible, it is in the interest of the agency to qualify acceptance of the offered payment by, for example, authorizing attendance at only a portion of the event.

Acceptance of travel funds under this authority should not be utilized in connection with an event required to carry out an agency's statutory and regulatory functions. This is intended to minimize the perception that programs and services mandated as part of an agency's mission would be made available only to those who could afford to pay. The term "statutory or regulatory functions" is intended to encompass a broader variety of essential functions than those specific only to an agency with regulatory responsibilities. While the purpose of the trip must be related to the official duties of the employee, the trip must not be for the purpose of performing one's line responsibilities. **[NOTE: A cooperative agreement should be executed in accordance with Agency policy to substantiate repetitive travel or travel of more than 3 weeks in duration.]**

Under this authority, you may accept payment of travel expenses from a non-Federal source on behalf of your agency, but not on behalf of yourself, when specifically authorized to do so by your agency and only for official travel to a meeting or similar function. Your agency must authorize acceptance of such payments in advance of your travel. Employees may not solicit payment for travel expenses but may inform the non-Federal source of the agency's authority to accept payment for travel expenses.

In order to accept travel funds under this authority, the event must meet the definition of a "meeting or similar function." "Meeting or similar function" means a conference, seminar, speaking engagement, symposium, training course, or similar event that takes place away from the employee's official station. "Meeting" does not include a meeting or other event required to carry out an agency's statutory or regulatory functions (i.e., a function that is essential to an agency's mission) such as investigations, inspections, audits, site visits, collection of research data or negotiations. "Meeting" also does not include promotional vendor training or other meetings held for the primary purpose of marketing the non-Federal sources products or services. This authority also excludes travel for which specific provisions are made within cooperative agreements, and temporary duty assignments such as details, fellowships and Intergovernmental Personnel Act (IPA) agreements.

A meeting or similar function includes but is not limited to the following:

- An event where the employee will participate as a speaker or panel participant focusing on his/her official duties or on the policies, programs or operations of the agency;
- A conference, convention, seminar, symposium or similar event where the primary purpose is to receive training other than promotional vendor training, or to present or exchange substantive information of mutual interest to a number of parties;
- An event where the employee will receive an award or honorary degree, which is in recognition of meritorious public service that is related to the employee's official duties, and which may be accepted by the employee consistent with the applicable standards of conduct regulations.

Non-Federal source means any person or entity other than the Government of the United States. The term includes any individual, private or commercial entity, nonprofit organization or association, international or multinational organization, or foreign, State or local government.

Payment means a monetary payment from a non-Federal source to a Federal agency for travel, subsistence, related expenses by check or other monetary instrument payable to the Federal agency or payment in-kind.

Payment in kind means transportation, food, lodging or other travel-related services provided by a non-Federal source instead of monetary payments to the Federal agency for these services. Payment in kind also includes waiver of any fees that a non-Federal source normally collects from meeting attendees (e.g., registration fees).

Travel, subsistence, and related expenses means the same types of expenses payable under the Joint Travel Regulations (JTR) and Foreign Affairs Manual (FAM).

PENALTIES

Employees must never directly accept reimbursement (cash, check, etc.) there are no exceptions. If an employee accepts payment from a non-Federal source in violation of these regulations, the employee may be required, in addition to any other penalty provided by law and applicable regulation, to pay the general fund of the Treasury, an amount equal to any payment accepted. If you violate these regulations, you may not be entitled to any reimbursement from the Government for your travel expenses that the payment was intended to cover. Employees may also be subject to appropriate disciplinary action.

PROCEDURE FOR APPROVAL

When seeking approval for acceptance of travel in-kind, the employee must discuss the nature of the event with their supervisor who is responsible for determining whether such participation is in the interest of USDA and of mutual benefit. The supervisor and employee should also consider whether acceptance of travel funds would cause a reasonable person with knowledge of all facts relevant to a particular case to question the integrity of agency programs or operations if payment is accepted. Once approval is granted by the supervisor, the employee should complete and submit the following documentation:

1. Form AD-1101, Approval and Report of Travel Funds Received from Non Federal Sources. This form must be completed in its entirety. Employees must complete items 1-6 on the Conflict of Interest Analysis and provide a brief explanation as to why acceptance would not cause a reasonable person with knowledge of the facts relevant to a particular case to question the integrity of agency programs or operations. The employee's supervisor would be the Approving Official. The AD-1101 can be found at: <http://www.usda-ethics.net/forms/travel.pdf>

2. Obtain a copy of the written invitation.

3. Prepare a draft acceptance letter on your Agency letterhead. This letter should not be signed/dated until after all appropriate approvals/reviews have been completed. You will need to submit this draft letter with your request. Once acceptance of travel has been approved, your approving official may send the acceptance letter to the sponsor of the travel (example attached).

4. Submit a copy of the written invitation, approved AD-1101, and a draft letter of acceptance to your appropriate Agency Ethics Advisor who will conduct the conflict of interest analysis.

5. Once all approvals have been received, a copy of the completed package will be returned to you.

WHERE TO SUBMIT YOUR REQUEST

Employees should submit their requests to:

USDA Office of Ethics
Science Ethics Branch
5601 Sunnyside Avenue, Rm. 2-2290
Beltsville, MD 20705-5620

Main Number: (301) 504-4414

ACCEPTANCE OF ADDITIONAL IN-KIND EXPENSES

An offer to pay additional travel expenses while in travel status may occasionally occur; guidance should be sought from your Agency Ethics Advisor. Prior approval for acceptance of travel expenses in kind is standard policy for USDA agencies.

If your agency has already authorized acceptance of payment for some of your travel expenses for a meeting or similar function from a non-Federal source, then you may accept on behalf of your agency, payment for any of your additional travel expenses from the same non-Federal source as long as:

- The expenses paid or provided are comparable in value to those offered to or purchased by other similarly situated meeting attendees; and
- Your agency did not decline to accept payment for those particular expenses in advance of your travel.

If your agency did not authorize acceptance of any payment from a non-Federal source prior to your travel, then:

- You may accept, on behalf of your agency only the types of travel expenses that are authorized by your travel authorization (i.e., meals, lodging, transportation, but not recreation or other personal expenses); and
- Only travel expenses that are within the maximum allowances stated on your travel authorization (e.g., if your travel authorization states that you are authorized to incur lodging expenses up to \$100 per night, you may not accept payment from the non-Federal source for a \$200 per night hotel room).

IMPORTANT: You must then request your agency's authorization for acceptance from the non-Federal source **within 7 working days** after your trip ends and if your agency does not authorize acceptance from the non-Federal source, your agency must either:

- Reimburse the non-Federal source for the reasonable approximation of the market value of the benefit provided, not to exceed the maximum allowance stated on your travel authorization; or
- Require you to reimburse the non-Federal source that amount and allow you to claim that amount on your travel claim for the trip.

If you accept payment from a non-Federal source for travel expenses in violation of these regulations, you will be subject to the penalties mentioned above.

NOTE: The criminal conflict of interest statute, 18 U.S.C. § 208, Acts affecting a personal financial interest, requires that an employee refrain from participating personally and substantially in an official capacity in any particular matter that will have a direct and predictable effect on the financial interests of any organization in which the individual serves as an officer, director, trustee, or employee. If you serve as an officer or employee of an organization the interests of that organization are likely assigned to you and thus prohibit you from taking any official action that would impact the interests of that same organization.

For purposes deemed official matters to which 18 U.S.C. § 208(a) would apply, such actions may include: (1) requesting that official travel funds be spent; accepting travel funds in kind or approving other Government resources be utilized for conducting or participating in the affairs of the organization; (2) signing a training or travel authorization to use appropriated funds to pay for yourself or a subordinate to attend a conference or other meeting of the organization; (3) speaking as an official duty activity, or directing a subordinate to speak, at any conference or other meeting of the organization where attendance fees are charged. While the financial impact may be insignificant, under well settled precedent, Section 208(a) has no *de minimis* aspect.

Contact the Science Ethics Branch for guidance.

RECORDS MAINTENANCE

Each Area is responsible for maintaining form SF-326, Semiannual Expense Report for Non-Federally Funded Travel. Reporting periods of travel cover October 1 – March 31 (report due May 31) and April 1 - September 30 (report due November 30). These reports are submitted to the USDA Office of Ethics, Science Ethics Branch (SEB) semiannually. The SEB will submit these reports to the Office of Government Ethics (OGE) for review. This information is available to the public and it is each agency's responsibility to file accurate and complete reports and to conduct a conflict of interest analysis. Each Area is responsible for maintaining statements, forms (AD-1101), and other records used to seek prior approval for acceptance of travel funds for one year after the SF-326 has been submitted to OGE.

FINANCIAL DISCLOSURE

As long as payments you receive from a non-Federal source are made to or on behalf of your agency, you are not required to report them as gifts on any confidential or public disclosure report.

OTHER AUTHORITIES

You may also be able to accept payment of travel expenses from a non-Federal source under the following authorities, please contact your Agency Ethics Advisor for additional guidance:

- (a) Under 5 U.S.C. 4111 for acceptance of contributions, awards, and other payments from tax-exempt entities for non-Government sponsored training or meetings;
- (b) Under the Foreign Gifts and Decorations Act (5 U.S.C. 7342) for travel taking place entirely outside of the United States which is paid by a foreign government, where acceptance is permitted by your agency.

USDA Office of Ethics, Science Ethics Branch

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