



TSA MANAGEMENT DIRECTIVE No. 1000.8
PAYMENT OF OFFICIAL TRAVEL EXPENSES
BY NON-FEDERAL SOURCES

To enhance mission performance, TSA is committed to promoting a culture founded on its values of Integrity, Innovation and Team Spirit.

REVISION: This revised directive supersedes TSA MD 1000.8, *Payment of Official Travel Expenses by Non-Federal Sources*, dated December 12, 2005.

SUMMARY OF CHANGES: Section 6 (H), Policy, has been added to state that employees may not accept cash from non-Federal employees; Section 7 (C), Procedures, has been added to explain that the Office of Financial Management Financial Policy, Travel, and Procedures Branch will send a formal e-mail notification to the traveler to inform him/her that approval is granted; Section 7 (F), Procedures, has been added requiring the employee to provide OFM with an itemization of the actual dates traveled, the actual expenses paid for and the benefits provided by the event sponsor within five business days of trip completion.

1. **PURPOSE:** This directive provides TSA policy and procedures for acceptance of payment from non-Federal sources for official travel expenses to a meeting or similar function.
2. **SCOPE:** This directive applies to all TSA employees. This directive does not apply to travel reimbursements offered by foreign governments if the travel takes place entirely outside the United States. It also does not apply to acceptance of travel-related expenses accepted under an authority other than 31 U.S.C. § 1353.
3. **AUTHORITIES:**
 - A. 31 U.S.C. § 1353
 - B. 41 CFR Chapter 304
 - C. [DHS MD 1560.2, Payment of Official Travel Expenses by Non-Federal Sources](#)
4. **DEFINITIONS:**
 - A. **Meetings or Similar Function (“Meeting”):** Refers to a conference, seminar, speaking engagement, symposium, training course, or similar event that takes place away from the employee’s official duty station. Meeting, as defined in this directive, 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, negotiations or litigation. Meeting also does not include promotional vendor training or other meetings held for the primary purpose of marketing the non-Federal source products or services, or long-term TDY or training travel. A meeting need not be widely attended for purposes of this directive and includes but is not limited to the following:
 - (1) 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.

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- (2) 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.
 - (3) 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.
- B. Non-Federal Source: Includes any individual; private or commercial entity; non-profit organization or association; state, local, or foreign government; tax-exempt organization; or international or multinational organization.
- C. Payment In-Kind: Refers to transportation, food, lodging, or other travel-related goods and services provided by a non-Federal source instead of monetary payments to the Federal agency. Payment in-kind also includes the waiver of any fees that a non-Federal source normally collects from meeting attendees (e.g., registration fees).

5. RESPONSIBILITIES:

- A. The Office of the Assistant Chief Counsel (Ethics and General Legal Services) [hereinafter OCC] is responsible for:
- (1) Reviewing the request for compliance with the law and for any conflicts of interest.
 - (2) Preparing a written recommendation to the Office of the Chief Financial Officer (CFO).
- B. The Assistant Administrator and Chief Financial Officer (CFO), Office of Finance and Administration [hereinafter CFO] is responsible for:
- (1) Determining whether to approve acceptance of the travel benefits from a non-Federal source, and noting that determination on the request.
 - (2) Submitting required semi-annual reports to the Department of Homeland Security CFO, on travel related payments accepted from non-Federal sources, in consultation with OCC.
- C. All employees must request and obtain approval in advance of travel, with very limited exceptions, when travel-related expenses will be paid by a non-Federal source. The employee who seeks acceptance of the travel reimbursement is responsible for compiling the information required by this directive into a complete staff package for Headquarters review and decision.

6. POLICY:

- A. Offers by a non-Federal source to pay official travel-related expenses are considered gifts to TSA. If approved, payments may be received with regard to employee travel and subsistence in connection with the employee's attendance at meetings, conferences, and similar events that an employee has been authorized to attend in his or her official capacity, away from the employee's official duty station.

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- B. All employees must obtain written approval from the CFO in advance of travel for which travel-related expenses will be paid by a non-Federal source. There are limited exceptions to this prior-approval requirement, which provides that travel expenses may be accepted, after-the-fact, when the:
- (1) Employee is authorized to travel at government expense,
 - (2) Non-Federal source offers to pay an authorized expense within the authorized maximum allowances after travel has commenced, and
 - (3) Employee requests approval from the agency within 7 business days after the trip ends. (An employee should check with his or her supervisor before accepting travel benefits). Additional exceptions may be granted in the rare case for an employee who was unable to timely file for approval for reasons beyond his or her control (e.g., an employee who was very ill or assisting an ill relative during the 7 business day approval period).
- C. Payment from a non-Federal source will not be accepted if TSA determines that acceptance under the circumstances would cause a reasonable person with knowledge of all of the facts relevant to a particular case to question the integrity of agency programs or operations. In making this determination, OCC will consider all relevant factors, including but not limited to:
- (1) The identity of the non-Federal source;
 - (2) The purpose of the meeting or similar function;
 - (3) The identity of other expected participants;
 - (4) The nature and sensitivity of any matter pending before TSA that affects the interests of the non-Federal source;
 - (5) The significance of the employee's role in any such matter; and
 - (6) The monetary value and character of the travel benefits offered by the non-Federal source.
- D. Payments may not be received under this authority for travel related to carrying out TSA's regulatory functions such as investigations, inspections, audits, site visits or litigation.
- E. TSA may accept payment for an accompanying spouse only if the employee demonstrates that the spouse's presence at the meeting or similar function will:
- (1) Support the agency's mission or will substantially assist the traveling employee in the performance of his or her duties;
 - (2) Be for the purpose of attending a ceremony where the employee will receive an award or honorary degree; or

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- (3) Be for the purpose of participation in substantive programs related to TSA's missions or operations.

- F. If an employee accepts travel or subsistence payments, whether in-kind or otherwise, from a non-Federal source in violation of applicable statutes or this directive, the employee will be required to reimburse the non-Federal source for the fair market value of the travel related expenses accepted. In addition, the employee may not be reimbursed by the Government for such expenses. Other penalties (to include adverse personnel action) may apply.

- G. Employees may not solicit payment for travel, subsistence, and related expenses from a non-Federal source. However, employees may inform the non-Federal source of TSA's authority to accept payment for travel expenses to attend a meeting or similar function.

- H. Employees may not accept direct cash payments from a non-Federal source; all payments must be made to TSA or the United States Government.

7. PROCEDURES:

- A. To obtain approval, the employee should submit a request to HQ OCC as soon as possible, but no later than two weeks prior to the first day for which the employee will receive benefits from the non-Federal source(s). Requests submitted less than two weeks prior to the first day for which the employee is requesting benefits to be paid by the non-Federal source may be considered, but may also be denied by the OCC and/or CFO. The employee must complete [TSA Form 1004, Request to Accept Payment of Travel Expenses from a Non-Federal Source](#), which is available in the Forms section of the TSA Intranet. The TSA Form 1004 should be incorporated into a staff package, supported by the invitation, a travel itinerary, a complete agenda of events, and any other relevant information about the donor or the event. If the request includes spousal travel, the employee must also obtain a supervisor's concurrence that the criteria supporting spousal travel are met. The employee must provide the completed staff package to the OCC via fax to (571) 227-1377 or express mail to:

Office of Assistant Chief Counsel
Ethics and General Legal Services (TSA-2)
601 S. 12th Street, East Tower - 12th Floor
Arlington, VA 22202

- B. After reviewing the request for compliance with the law and conflicts of interest, OCC will prepare a written recommendation to the CFO.

- C. The CFO will make a final determination and will note that determination on the TSA Form 1004. The CFO will maintain the original signed request. The CFO will also provide the OCC and the Office of Financial Management (OFM) a copy of the signed request. OFM will use it to prepare the required semi-annual report to the DHS CFO.

- D. The OFM Financial Policy, Travel, and Procedures Branch will send a formal e-mail notification to the traveler to inform him/her of the CFO's decision on the request. This formal email notification serves as the sole source of approval for the employee to accept payments of official travel expenses from the non-Federal source(s). Without this formal email notification,

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the employee may not accept payments of official travel expenses from the non-Federal source(s). Moreover, the notification will contain a requirement for the employee to provide an itemization of the actual dates traveled, the actual expenses paid for and the benefits provided by the event sponsor within five business days of trip completion.

- E. If approval is granted, an employee may accept payments in-kind from a non-Federal source, but may not accept any type of direct payment (to include checks or cash). In the event a payment is made directly to a Federal employee by the non-Federal source, the payment must be in the form of a check or similar negotiable instrument made payable to TSA. Once a traveler receives such a payment, it is accepted on behalf of TSA and must be surrendered to the:

Office of Financial Management (Accounting Branch)
TSA Headquarters, West Building
12th Floor, TSA-14
601 S. 12th Street
Arlington, VA 22202

- F. The traveler will provide an itemization of the actual dates traveled, the actual expenses paid for and the benefits provided by the event sponsor to the OFM, Financial Policy, Travel, and Procedures Branch via email (finance@dhs.gov) within five business days of trip completion.

8. EFFECTIVE DATE AND IMPLEMENTATION: This directive is effective immediately upon signature.

APPROVAL



8/27/2008

David R. Nicholson, Assistant Administrator for
Finance and Administration/Chief Financial Officer

Date

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Point-of-Contact: Branch Chief, OFM Financial Policy, Travel and Procedures
(571) 227-3050, finance@dhs.gov