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MAP 15–004

SUBJECT: Reimbursement Rates for Air Travel under Generic Promotion Activities

TO: All Market Access Program (MAP) Participants

ISSUE

The revised MAP regulations were published on May 17, 2012, and became effective beginning with program year 2013. This program notice is being issued to provide clarity regarding the reimbursement rates for air travel under generic promotion activities.

POLICY

Regulations regarding the reimbursement rates for air travel under generic promotion activities are found at 7 CFR 1485.17(c) (8) (ii), (iii), and (iv). These sections read as follows:

§1485.17(c)(8)(ii) CCC generally will not reimburse any portion of air travel, including any fees for modifying the originally purchased ticket, in excess of the full fare economy rate or when the MAP Participant fails to notify the Attaché/Counselor in the destination country in advance of the travel, unless the CCC determines it was impractical to provide such notice. If a traveler flies in business class or a different premium class, the basis for reimbursement will be the full fare economy class rate for the same flight and the MAP Participant shall provide documentation establishing such full fare economy class rate to support its reimbursement claim.

If economy class is not offered for the same flight or if the traveler flies on a charter flight, the basis for reimbursement will be the average of the full fare economy class rate for flights offered by three different airlines between the same points on the same date and the MAP Participant shall provide documentation establishing such average of the full fare economy class rates to support its reimbursement claim.

§1485.17(c)(8)(iii) In very limited circumstances, the MAP Participant may be reimbursed for air travel up to the business class rate (*i.e.*, a premium class rate other than the first class rate) upon prior written approval by CCC. Such circumstances are:

> (A) Regularly scheduled flights between origin and destination points do not offer economy class (or equivalent) airfare and the MAP Participant receives written documentation from its travel agent to that effect at the time the tickets are purchased;

(B) Business class air travel is necessary to accommodate an eligible traveler's disability. Such disability must be substantiated in writing by a physician; and

(C) An eligible traveler's origin and/or destination are outside of the continental United States and the scheduled flight time, beginning with the scheduled departure time, ending with the scheduled arrival time, and including stopovers and changes of planes, exceeds 14 hours. In such case, per diem and other allowable expenses will also be reimbursable for the day of arrival. However, no expenses will be reimbursable for a rest period or for any nonwork days (e.g., weekends, holidays, personal leave, etc.) immediately following the date of arrival.

§1485.17(c)(8)(iv) Alternatively, in lieu of reimbursing up to the business class rate in such circumstances, CCC will reimburse economy class airfare plus per diem and other allowable travel expenses related to a rest period of up to 24 hours, either en route or upon arrival at the destination. For a trip with multiple destinations, each origin/destination combination will be considered separately when applying the 14 hour rule for eligibility of reimbursement of business class travel or rest period expenses. A stopover is the time a traveler spends at an airport, other than the originating or destination airport, which is a normally scheduled part of a flight. A change of planes is the time a traveler spends at an airport, other than the originating or destination airport, to disembark from one flight and embark on another. All travel should follow a direct or usually traveled route. Under no circumstances should a traveler select flights in a manner that extends the scheduled flight time to beyond 14 hours in part to secure eligibility for reimbursement of business class travel.

CLARIFICATIONS

Section 7 CFR 1485.17(c)(8)(ii) states that "CCC generally will not reimburse any portion of air travel, including any fees for modifying the originally purchased ticket, in excess of the full fare economy rate", and, further, that "if a traveler flies in business class or a different premium class, the basis for reimbursement will be the full fare economy class rate for the same flight".

Thus, a Participant may be reimbursed without prior written approval in the following situations:

1) Business class or other premium class air travel, up to the full fare economy class rate for the same flight. That is, business class or other premium class air travel that costs the same as or less than the full fare economy class rate may be reimbursed in its entirety. This does not require prior written approval from FAS.

2) Business class air travel that costs more than the full fare economy class rate may be reimbursed at the full fare economy class rate. If the Participant chooses to purchase a business class or a different premium class ticket **and** pay the difference in fare between the actual cost of the ticket and the full fare economy class rate, the Participant is not required to obtain prior written approval from FAS.

3) When a Participant modifies a ticket for air travel and incurs air travel ticket modification fees for the Participant's business reasons, the Participant is permitted to claim the ticket modification fees, in addition to the cost of the ticket itself, up to the full fare economy class rate for the same flight on which the traveler actually flies.

Clarifications regarding requesting reimbursement for business class air travel at a rate that exceeds the full fare economy rate

1) Accommodating a medical disability. A disability must be certified annually in a written statement by a competent medical authority. However, if the disability is a lifelong condition, then only a one-time certification statement is required. All certification statements must include, at a minimum:

(A) A recommendation that business class travel is necessary as a special accommodation based on the disability; and
(B) An approximate duration of the special accommodation.

2) The "14-hour rule." A Participant may be reimbursed for the business class fare when the following conditions are met:

A) The origin and/or destination are OCONUS; and
B) The scheduled flight time, including non-overnight stopovers and change of planes, is in excess of 14 hours; and
C) Scheduled flight time is the flight time between the originating departure point and the ultimate arrival point including scheduled non-overnight time spent at airports during plane changes. Scheduled non-overnight time does not include time spent at the originating or ultimate arrival airports.

3) To receive written approval to request reimbursement for business class air travel at a rate that exceeds the full fare economy rate, the Participant should submit a written request to its marketing specialist. If a Participant receives written approval to request reimbursement for business class travel above the full fare economy rate but fails to meet the requirements for such travel to be reimbursed, such travel shall not be eligible for reimbursement.

GUIDANCE:

1) Participants are encouraged to acquire and maintain documentation of the full fare economy class rate from an airline, travel agent, or travel website whenever purchasing an airline ticket that the Participant might claim reimbursement for with MAP funds.

2) The requirement that a Participant receive prior written approval from CCC to be reimbursed for business class travel above the full fare economy rate is not intended to mean that every episode of such travel needs to be approved individually. A Participant may request approval to cover multiple trips, or the remainder of a given program year.

EFFECTIVE DATE:

This notice does not change any policy regarding the MAP: therefore, it is effective immediately.

Christian J. Foster
Deputy Administrator
Office of Trade Programs

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