BUDGET AND APPROPRIATION REGULATIONS
Regulation # R100-01:AC-01

Chapter 2. Travel Regulations
Regulation # R100-04:AC-02

Section 1. Authority; Purpose
1-1. *Authority*. In accordance with section 4.10(e) of Budget and Appropriations Ordinance, # 01-100-04, the Tribal Ogema hereby promulgates these regulations for implementation of the *Travel Regulations*.

1-2. *Purpose*. The Tribe recognizes that representatives of the Tribe who travel far from home must forego their living accommodations and may forfeit time for personal activities. Accordingly, the Tribe will make efforts to provide comfortable and secure accommodations for lodging and transportation for representatives. However, the Tribe reserves the right to deny reimbursement of expenses that are considered lavish, extravagant, or unreasonable. This regulation is intended to provide procedures for identifying and reimbursing travel expenses.

Section 2. Definitions
2-1. *General*. For purposes of this regulation, certain terms are defined in this section. The word "shall" is always mandatory and not merely advisory. Unless defined elsewhere, terms defined in Chapter 1 and the Budget and Appropriations Ordinance are defined for the purposes of all *Travel Regulations*.

2-2. Purchasing *and Travel Office* means the office or Accounting Department personnel responsible for arranging and closing out travel of employees and government officials.

2-3. FTR means federal travel regulations as set forth in 41 C.F.R. Ch. 301 as may be amended from time to time.

2-4. POV

2-5. Tribal *Vehicle*

Section 3. Overall Policy
3-1. General *Policy Statements*. The policy statements in this Section provide a foundation for all policies and procedures for a sound travel approval, advance and reimbursement system.

3-2. Guidelines. Expenses are to be within established Tribal guidelines, OMB Circular A-87, and federal guidelines as set forth in 41 C.F.R. Ch. 301 as may be amended. Reimbursements will be made only with proper documentation and as established in this regulation.

3-3. Application. All employees, elected officials and appointed officials shall comply with the requirements of this policy.

3-4. Purpose *of Travel*. Travel should be for the purposes related to the traveler's position and/or education related to enhancing the traveler's ability to do his or her job. Travel shall not be used for personal gain.

3-5. Responsibility *for Unapproved Expenses*. Travelers will be responsible for excess cost and any additional expenses incurred to accommodate personal preference.

3-6. Responsibility *for Travel*. All travelers are responsible for complying with the Tribe's travel policies, and for following procedures stated in this regulation.

3-7. Reduction *of Per Diem Rates.* The Purchasing and Travel Office shall reduce from per diem rates, those costs associated with pre-paid meals included in a seminar where the traveler is offered the choice to attend that portion of a conference or seminar where a meal is included.

Section 4. Procedures

4-1. General. The following procedures must be used for all travel requests by travelers.

4-2. Authorization. An "Authorization for Travel Form" must be completed in full and signed by the Department Director and traveler to begin processing travel arrangements. All incomplete forms will be returned to the traveler.

4-3. Purchasing and Travel Office. After the Authorization for Travel Form has been completed and authorized, the traveler will attach the Authorization for Travel Form, and a copy of the agenda of the business meeting, seminar, or training that the traveler will be attending, and forward those documents to the Purchasing and Travel Office.

a. All travel requests must be turned into the Purchasing and Travel Office at least ten working days in advance of travel. Any exceptions must be authorized in writing by the Ogema and the traveler is responsible for obtaining the Ogema's authorizing signature.
b. The Purchasing and Travel Office will then fill out a Travel Advance Form and a Check Request Form. Three copies shall be created – one copy for the Purchasing and Travel Office, the second copy for the Accounting Department, and the third copy for the traveler.

4-4. Travel *Advance Guidelines.* A Travel Advance will be processed at the estimated cost of travel utilizing the rates identified in 41 C.F.R. Ch. 301 and appendices, unless actual estimated costs are available in regards to lodging and transportation.

4-5. Travel *Closeouts Required.* All travelers that receive a Travel Advance must fill out a Travel Closeout Form within ten business days after completion of travel. The Travel Closeout is forwarded to the Purchasing and Travel Office with receipts attached. If the Travel Closeout and proper receipts are not returned and remain outstanding beyond ten days from the return date of the travel, the Travel Advance will be deducted from the traveler's paycheck(s), or stipend reimbursement(s) for Commissioners, Committee members, and other persons receiving a stipend, in full and the traveler will be denied any other travel until proper travel statements are filed. Provided that, no travel advance deduction shall exceed 75% of any paycheck. Upon submission of the Travel Closeout, the travel advance, or that portion deducted from the traveler's paycheck, shall be reimbursed to the traveler within three business days of receipt of the approved Travel Closeout Form.

4-6. Travel *Report Required.* All travelers are required to submit a travel report with Travel Close out forms. Travel reports shall also be submitted to the traveler's supervisor. The travel report shall summarize the purpose of the travel, information which the employee wishes to highlight, and a recommendation of the value of the conference or seminar, if applicable, to the Tribe and tribal employees.

4-7. Unexpected *Expenses.* For unexpected travel and/or expenses, the traveler is responsible for the following:

a. Obtaining written authorizations from the Ogema.
b. Notifying the Purchasing and Travel Office of all such expenses and/or travel prior to incurring, or as soon after incurring, the expense and/or travel as is practicable.

Section 5. Travel Types and Expense Guidelines

5-1. *Type of Travel.* The easiest way to prepare a Travel Closeout is to determine which type of travel is being taken and complete the appropriate form. The types of travel and related forms are:

a. Travel not including overnight stay, and within 90 miles of the traveler's departure address: fill out the

Travel Reimbursement Request.

b. Travel not including overnight stay, eight hours or more going farther than 90 miles away from the traveler's departure address: fill out Authorization for Travel Form and Travel Closeout Form within 10 days of return.
c. Travel including overnight stay, with commercial lodging: fill out an Authorization for Travel Form, and Travel Closeout Form within 10 days of return.
d. Travel including overnight stay, without commercial lodging: fill out an Authorization for Travel Form, and Travel Closeout Form within 10 days of return.

5-2. *Reimbursement for Canceled Travel.* Employees will be held liable for all costs if a trip is cancelled for any reason other than emergency, related to employment as approved by their supervisor, or meeting/conference is cancelled by sponsoring agency. The travel advance shall be returned by the employee, if issued. The Purchase and Travel Office shall attempt to reduce expenses related to cancelling the travel. The Purchase and Travel Office shall notify the employee of the expenses related to cancelled travel which shall be either paid in full by the employee and/or deducted from the employee's next paycheck(s).

5-3. Expense *Guidelines.*

a. *Air Travel.* All air travel arrangements are to be made by the Purchasing and Travel Office.
   1. Employees are to fly coach class.
   2. Employees are not to take any voluntary "bumped" airline flights. In cases where the traveler is "bumped" involuntarily any compensations received should be made out to the Little River Band of Ottawa Indians and forwarded to the Purchasing and Travel Office, additional per diem will be allowed.
b. Lodging. Arrangements are to be based on value and convenience for the traveler and according to what is usual and customary.
   1. Advances shall be in accordance with the lodging rate in 41 C.F.R. ch. 301, Appendix A.
   2. When attending a conference the traveler shall stay at the hotel where the conference, training or seminar is given or at a hotel nearest the location to avoid excessive lodging or transportation costs.
   3. If lodging expenses exceed the lodging rate, the amount must be justifiable and preauthorized by the Ogema; provided that in accordance with 41 C.F.R. section 301-11.303, the maximum amount that may be reimbursed is limited to 300% in excess of FTR rate.
   4. If a traveler is accompanied by a family member or a friend, the traveler will be reimbursed for the cost of the traveler only.
   5. Travelers are given an advance sufficient to cover the costs of lodging. Travelers must submit a receipt with the Travel Closeout form in regards to the hotel or lodging expenses. A traveler shall be reimbursed only for actual costs, and shall refund to the Tribe any amount of the travel advance in excess of actual costs.

c. *Meals.* Travelers will be responsible for obtaining their own meals while traveling. To that extent, travelers are advanced the per diem rate identified in 41 C.F.R. ch. 301.
   1. Travelers shall receive prior approval to host a meal, meeting or other monetary obligation on behalf of the Tribe, and identify the date of the activity, the parties present, and the purpose of the activity.
   2. Travelers shall identify, prior to, or upon return, that a meal, or meals, was provided and whether that meal was lunch or dinner. Meals, for purposes of this subsection, do not include breakfast, snacks or other inconsequential items.

d. Vehicle *Use.* When multiple employees attend the same event, car-pooling will be required.
   1. If three or fewer employees attend an event, the payment for only one vehicle (POV, Tribal, or rental) will be authorized.
   2. If four or more employees attend an event, payment for multiple vehicles (POV, Tribal, or rental) will be authorized as needed to properly accommodate the group.
   3. Payment for one employee to travel alone in a vehicle (POV, Tribal or rental) when multiple employees are attending an event can be approved by the appropriate official as identified in section 6-2 for reasons of health, safety or convenience of the Tribe.

e. *Car Rental.* If a car rental is required at the destination, advance arrangements shall be made with Purchasing and Travel Office. Rental cars will only be permitted where the cost of the rental would be less than the daily cost of taxi fare or other transportation other than city buses or subways are available. An example of other transportation includes hotel vans or buses, conference vans, buses or group transportation, or airport buses. Arrangements will be made for economy class vehicles. Exceptions for mid-sized or greater vehicles may be pre-authorized when an identified business related need exists. The traveler will be issued a certificate identifying the Tribe's insurance coverage and contact phone numbers in the case of emergencies.

f. *Personal Vehicles.*
   1. Employees should always request a Tribal vehicle, but in cases where a Tribal vehicle is not available a traveler may use his or her own automobile for business. Reimbursements are allowed at the mileage rate as amended from time to time in the Federal Register. The Purchasing and Travel Office will notify employees of changes to the mileage rate in a timely manner. The traveler will submit a Travel Reimbursement Request when traveling in the service area, or fill out a Travel Advance Form and Travel Closeout Form when traveling out of the service area.
   2. When use of a personal vehicle is requested in lieu of airfare by the traveler, a cost comparison of 14-day advance airfare purchase must be made to justify the use of a personal vehicle. If the airfare is a lower cost to the Tribe the traveler will be advanced the amount of the airfare verses the mileage. Provided that –

      A. Traveler shall sign a statement that he or she is not acting in their employment capacity during any time period when they are traveling to or from the destination in lieu of utilizing airline transportation; and
      B. Traveler will be compensated per diem and hotel expenses for one day prior to the conference beginning date and for one day after the ending date of the meeting or conference period.
      C. In cases where a traveler requests to use a personal or Tribal vehicle in lieu of airfare, the traveler will be compensated for the lesser of actual time of travel or the estimated time to commercially travel as computed by the Payroll Office. (to be further defined by in the personnel manual, adopted after 11/01/2010).

g. *Telephone; Incidental Expenses.* Business related telephone charges are allowable and are to be attached to lodging receipt. Room service charges and video rentals are considered incidental expenses and will not be covered.

h. *Personal Calls.* When travel includes overnight stay, travelers shall be allowed $5.00 per day for personal calls, receipts are not necessary. All personal calls on the hotel bill shall not be reimbursed. All business calls shall be made to the toll free business line of the Tribe.

i. *Miscellaneous.* Any additional business expenses that are not categorized above should be listed under miscellaneous expenses and documented with all receipts to substantiate the expense. Miscellaneous expenses would include but are not limited to: fax, copy charges, bridge fares and tolls. The employee's supervisor shall review and approve all miscellaneous expenses.

j. The above expense guidelines are to be strictly adhered to. In the event that an employee must request a variance from any of the paragraphs (a) through (i) above, separate and additional authorization must be obtained from the appropriate office as noted in Section 6.2. That authorization must be submitted along with the approved Travel Authorization Form.

Section 6. Authorizations

6-1. General. Where authorization is required in this Chapter, and a specific office or position is not identified, the authorizations as set forth in this Section shall be obtained.

6-2. Tribal *Council; Tribal Ogema; Tribal Court.* The members of the Tribal Council, the Tribal Ogema, or the judges of the Tribal Court shall be authorized to approve travel related to those offices.

6-3. Executive *Branch.* For purposes of approval, expenses related to travel include transportation, per diem, and lodging. Registration costs to attend conferences, meetings, etc., shall be considered separately.

a. All travel shall first be authorized by a Department Director and expenditures up to $250 may be authorized by the Department Director so long as such travel expenditures are in accordance with this regulation. Travel expenditures outside of this regulation or in excess of FTR rate shall require approval by the Ogema.
b. When the cost of such travel exceeds $250, approval by the Purchasing and Travel Office is required; provided that, travel expenditures of Accounting Department employees shall be approved by the Chief Financial Officer. The Purchasing and Travel Office may authorize lodging rates that exceed the FTR rate, in cases where the traveler is lodging at the site of the training, site recommended by training, or where handicap accessibility may be necessary.
c. When the cost of travel exceeds $1,500.00, approval by the Tribal Ogema. Tribal Ogema approval shall also be required, for travel expenditures outside of this regulation.

Section 7. Adoption; Amendment; Repeal

7-1. Adoption. This Chapter is approved by the Tribal Ogema on August 1, 2003 and approved by the Tribal Council on August 6, 2003.

a. *Amendment.* The Ogema approved amendments on November 17, 2004 and approved by the Tribal Council by resolution # 04-1117-458.
b. Amendment. As further amended by resolution # 06-0920-658.
c. Amendment. As further amended by resolution #10-1103-366.

7-2. *Amendment.* This regulation may be amended by the Tribal Council, or by submission of amendments by the Tribal Ogema approved by the Tribal Council, in accordance with the Constitution and any rules set forth governing amendment of regulations of the Little River Band of Ottawa Indians. Provided that, any amendments must be approved or adopted in the same manner as set forth in section 7-1.

7-3. *Severability Clause.* If any provision of this regulation or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this regulation which can be given effect without the invalid provision or application, and to this end the provisions of this regulation are severable.

7-4. *Compliance.* In regards to compliance with this regulation, substantial compliance with the 'spirit' of this regulation rather than complete compliance is acceptable.

7-5. *Sovereign Immunity.* Nothing in this Regulation shall provide or be interpreted to provide a waiver of sovereign immunity from suit of the Tribe or any of its governmental officers and/or agents.

7-6. *Effective Date.* This Regulation shall take effect on September 6, 2003 upon approval of the amendments by Tribal Council.