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## United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-6025

<http://appropriations.senate.gov>

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May 1, 2019

The Honorable Ajit Pai  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Dear Chairman Pai:

Ensuring that taxpayers' hard-earned money is well-spent is one of our most important responsibilities as members of the Appropriations Committee. Accordingly, we are deeply concerned by frivolous and wasteful spending on premium-class airline tickets for government employees. Independent watchdogs, including the Government Accountability Office and inspectors general, have long warned of serious breakdowns in internal controls and the potential for hundreds of millions of dollars in improper purchases.<sup>1</sup>

The Federal Travel Regulation (FTR) generally prohibits Federal employees from using first-class and business-class airline travel, with certain limited exceptions.<sup>2</sup> Furthermore, a new provision in the *Financial Services and General Government Appropriations Act, 2019* prohibits the use of appropriated funds in contravention of this regulation.<sup>3</sup> Both the underlying policy and the funding prohibition are intended to promote the economy and efficiency of our government and to protect taxpayer dollars.

The Subcommittee is evaluating compliance with the FTR and section 632 at agencies within its jurisdiction. This oversight may inform consideration of additional legislative action, including new provisions in future appropriations bills. To assist in this matter, please provide the following information:

1. Please describe, with specificity and detail, the FCC policies for ensuring compliance with sections 301-10.121 through 301-10.125 of title 41, Code of Federal Regulations.
2. Please describe, with specificity and detail, the FCC policies for ensuring compliance with section 632 of the *Financial Services and General Government Appropriations Act, 2019*.

<sup>1</sup> See, e.g., Gov't Accountability Office, Premium Class Travel: Internal Control Weaknesses Governmentwide Led to Improper and Abusive Use of Premium Class Travel, GAO-07-1268 (Sept. 2007).

<sup>2</sup> 41 C.F.R. §§ 301-10.121–10.125.

<sup>3</sup> Financial Services and General Government Appropriations Act, 2019, Pub. L. 116-6, div. D, sec. 632.

3. For fiscal year 2017 through the first two quarters of fiscal year 2019, please identify:

- a. Each instance of non-coach-class airline travel.
- b. The FTR exemption under which the FCC authorized or approved each instance of non-coach-class airline travel, including the date of authorization or approval.
- c. The total obligations associated with each instance of non-coach-class airline travel.
- d. Any instances of non-coach-class airline travel not authorized or approved in a manner consistent with the FTR.

Please note that certain exemptions under the FTR implicate medical or disability status; accordingly, please ensure that your responses do not include any personally-identifiable information relating to medical or disability exemptions. We respectfully request a response by May 31, 2019.

Sincerely,

A handwritten signature in blue ink, reading "John Kennedy", with a stylized flourish at the end.

Senator John Kennedy  
Chairman  
Subcommittee on Financial Services  
and General Government  
Committee on Appropriations

A handwritten signature in blue ink, reading "Chris Coons", with a stylized flourish at the end.

Senator Christopher Coons  
Ranking Member  
Subcommittee on Financial Services  
and General Government  
Committee on Appropriations



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

May 6, 2019

The Honorable Chris Coons  
Ranking Member  
Subcommittee on Financial Services and General Government  
Committee on Appropriations  
United States Senate  
125 Hart Senate Office Building  
Washington, DC 20510

Dear Senator Coons:

Thank you for your letter concerning the Federal Communications Commission's compliance with the airline travel requirements contained in the Federal Travel Regulations and section 632 of the *Financial Services and General Government Appropriations Act, 2019*. I share your concern about wasteful spending and am pleased to report that the Commission has been in full compliance with these rules. Below I respond to your specific questions.

1. Please describe, with specificity and detail, the FCC policies for ensuring compliance with sections 301-10.121 through 301-10.125 of title 41, Code of Federal Regulations.

**Response:** The FCC's travel policies are documented in a travel manual as well as travel bulletins that are issued periodically for specific issues. These documents are available to all FCC employees. In addition, the FCC's Travel and Operations Group has its own set of internal policies and procedures for the functions it performs related to the FCC's travel processes as part of the FCC's financial operations team.

Only allowable estimated expenses can be obligated on the travel authorization. All travel documents (i.e., travel authorizations, travel vouchers, and other required forms) must be approved by a designated approving official (who must be someone other than the traveler). The approving official's name and title, the date of the approval, and an original signature must be recorded in order for the travel documents to be processed.

The responsibilities of the approving official are to: (1) ensure that the expenditures as stated on the travel authorization are valid and reasonable; (2) verify all items requested before signing the form; (3) verify that all necessary documents are signed and attached to the authorization/voucher before approving a trip; and (4) verify that a valid travel authorization number has been assigned.

First and business class travel requires advance approval and a written justification signed by the designated approving official prior to travel. Per Commission policy, the FCC's Travel and Operations Group only approves first and business class travel justifications due to a qualifying medical necessity or in other narrow circumstances expressly provided by the Federal Travel Regulations. The signed justification must be attached to the travel authorization and

voucher. In the absence of a specific authorization or approval for first class or business class accommodations, FCC staff traveling on Commission business are liable for all costs in excess of the allowable amount for coach fare.

In addition to the formal approval process, each FCC Bureau and Office is encouraged to maintain its own internal review process prior to obtaining an approving official's signature on a travel document. This internal review process may include a supervisor or a senior level official within the Bureau or Office approving the travel documents. The reviewer may pre-approve by signing or initialing in the remarks section of the travel authorization or voucher. The approval block is reserved for the signature of the designated approving official. Upon completion of the internal review process, the documents are ready to be submitted to the approving official for signature.

2. Please describe with specificity and detail, the FCC policies for ensuring compliance with section 632 of the *Financial Services and General Government Appropriations Act, 2019*.

**Response:** The FCC policies for complying with section 632 are the same policies that the FCC has in place to ensure compliance with the Federal Travel Regulations, as described in the response to question 1.

3. For fiscal year 2017 through the first two quarters of fiscal year 2019, please identify:

- a. Each instance of non-coach-class airline travel.

<u>FROM</u>	<u>TO</u>	<u>DATE</u>	<u>CLASS</u>
Washington, DC	Buenos Aires, Argentina	24-Jul-2018	Business
Washington, DC	Buenos Aires, Argentina	03-Sep-2018	Business
Washington, DC	Dubai, United Arab Emirates	25-Oct-2018	Business

- b. The Federal Travel Regulations exemption under which the FCC authorized or approved each instance of non-coach-class airline travel, including the date of authorization or approval.

**Response:** The FCC authorized each of these instances of business class travel pursuant to 41 C.F.R. § 301-10.123(b)(1), which provides that an agency may authorize business class accommodations when the use of other than coach-class is necessary to accommodate a medical disability or other special need. In each of the three instances listed above, the authorization was given because of a medical disability of a career staff member.

- c. The total obligations associated with each instance of non-coach-class airline travel.

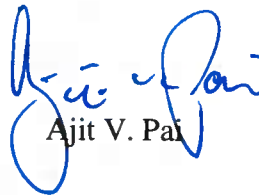
<u>DATE</u>	<u>TOTAL OBLIGATION</u>
24-Jul-2018	\$7,719.01
03-Sep-2018	\$7,019.71
25-Oct-2018	\$12,650.03

- d. Any instances of non-coach-class airline travel not authorized or approved in a manner consistent with the Federal Travel Regulations.

**Response:** The FCC does not have any such instances to report.

I appreciate your interest in these issues. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ajit V. Pai".

Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

May 6, 2019

The Honorable John Kennedy  
Chairman  
Subcommittee on Financial Services and General Government  
Committee on Appropriations  
United States Senate  
S-128, The Capitol  
Washington, DC 20510

Dear Chairman Kennedy:

Thank you for your letter concerning the Federal Communications Commission's compliance with the airline travel requirements contained in the Federal Travel Regulations and section 632 of the *Financial Services and General Government Appropriations Act, 2019*. I share your concern about wasteful spending and am pleased to report that the Commission has been in full compliance with these rules. Below I respond to your specific questions.

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**Response:** The FCC authorized each of these instances of business class travel pursuant to 41 C.F.R. § 301-10.123(b)(1), which provides that an agency may authorize business class accommodations when the use of other than coach-class is necessary to accommodate a medical disability or other special need. In each of the three instances listed above, the authorization was given because of a medical disability of a career staff member.

- c. The total obligations associated with each instance of non-coach-class airline travel.

<u>DATE</u>	<u>TOTAL OBLIGATION</u>
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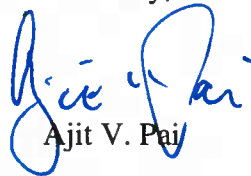


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Sincerely,



Ajit V. Pai