



Office of Government-wide Policy
October 20, 2021

Federal Travel Regulation
GSA Bulletin FTR 22-03

TO: Heads of Federal Agencies

SUBJECT: Applicability of Federal Travel Regulation Part 301-13 to Employees who are Nursing

1. What is the purpose of this bulletin? This FTR Bulletin provides guidance to agencies subject to the Federal Travel Regulation (FTR) to clarify that “special needs” travel may include employees who breastfeed.
2. What is the effective date of this bulletin? This bulletin is effective as of the date of publication.
3. When does this bulletin expire? This bulletin will remain in effect until explicitly cancelled or superseded.
4. What is the background of this bulletin? Federal agencies can accommodate an employee’s special needs while on temporary duty travel pursuant to the FTR, Part 301-13. Per FTR §301-13.2, an agency can pay for additional travel expenses to accommodate a special physical need which is either: (a) clearly visible and discernible; or (b) substantiated in writing by a competent medical authority.

In recent years, agencies and employees have asked whether employees who breastfeed have a special need that agencies may accommodate while the employee is on temporary duty travel (TDY).

Federal agencies have discretion under the FTR to determine if a request based on a physical need is reasonable, for example allowing a very tall individual (a trait that is clearly visible and discernible) to upgrade to extra-fare seating on an airplane, such as an exit row seat. Or, if someone has a chronic medical condition that may not be visible, but requires the help of an assistant, a letter from a competent medical authority can substantiate the request.

In 2019, the Civilian Board of Contract Appeals (CBCA) decided *In the Matter of Ashley R. Luo, CBCA 6528-TRAV, 19-1 BCA ¶ 37398 (July 24, 2019)*, that where the special physical need of a nursing mother is known to the agency and the authorizing official at the time when costs for accommodating the special physical need are authorized as a

travel expense, the special need is considered to be "clearly visible and discernible" and substantiation by a medical authority is not necessary.

Employees who nurse and go on official travel orders face a physical challenge that other employees do not. Travel away from home usually requires the employee to be away from the child. While milk can be expressed beforehand and left for a caregiver, sometimes there is not enough to last the duration of the trip and milk must be safely stored and shipped back home.

In order to not force an employee to make a choice between nursing or fulfilling work duties, Federal agencies may recognize that an employee who breastfeeds has a special need, as verified per regulatory requirements. Agencies may determine that the special need means that a spouse, nanny, or other attendant can accompany the employee on the trip at Government expense in order to watch the child in between the employee's reasonable break periods to breastfeed while working at the temporary duty station. If no attendant is necessary, an employee may still need to use services to safely store and ship milk to the child while on travel.

5. How long should an agency consider breastfeeding a special need? While there are no absolute limits on the length of time breastfeeding should be considered a special need, the [American Academy of Pediatrics](#) (AAP) recommends breastfeeding for at least one year, the first six months exclusively with breast milk.

6. Does a special need designation mean labor costs for a caregiver to the infant will be paid? No. The special need provision only relates to travel costs as outlined in the FTR, Part 301-13. Any labor costs related to taking an attendant on temporary duty travel are the responsibility of the employee.

7. Are any costs for the infant reimbursable? In general, it is not expected that infants will incur extra costs for transportation, lodging, or meals. If there are extra costs associated with the infant's travel, the employee is generally expected to assume those costs. However, the agency can make the final determination as to what is prudent to reimburse.

8. What expenses may be reimbursed to accommodate a nursing employee's special need? Expenses covered may include, but are not limited to, reasonable commercial shipping fees, excess baggage, disposable storage bags or non-durable containers, cold shipping packages, refrigeration, and transport, as determined by the agency authorizing or approving official.

9. Who should I contact for further information? For further information, contact Jill Denning, Office of Government-wide Policy, Office of Travel, Transportation and Asset Management, General Services Administration at (202) 208-7642 or via email at travelpolicy@gsa.gov.

By delegation of the Administrator of General Services,

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Krystal J. Brumfield
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