

**PART 304-2—DEFINITIONS**

■ 3. The authority citation for 41 CFR 304-2 continues to read as follows:

**Authority:** 5 U.S.C. 5707; 31 U.S.C. 1353.

■ 4. Amend § 304-2.1 by—

■ a. Removing from the introductory text of the definition “Meeting(s) or similar functions (meeting)”, “(i.e., a function that is essential to an agency’s mission)”;

■ b. Revising the second sentence of the definition “Payment in kind”; and

■ c. Revising the last two sentences of the definition “Travel, subsistence, and related expenses (travel expenses)”.

The revisions read as follows:

**§ 304-2.1 What definitions apply to this chapter?**

\* \* \* \* \*

*Payment in kind* \* \* \* Payment in kind also includes waiver or discount of any fees that a non-Federal source collects from meeting attendees (e.g., registration fees), but does not include waivers or discounts of an employee’s fees on the day(s) they are participating in the meeting or similar function as a speaker, panelist, or presenter.”

*Travel, subsistence, and related expenses (travel expenses)* \* \* \* The Foreign Affairs Manual is available for download from the internet at [FAM.state.gov](http://fam.state.gov). The Joint Travel Regulations are available for download at <http://www.defensetravel.dod.mil/site/travelreg.cfm>.

**PART 304-3—EMPLOYEE RESPONSIBILITY**

■ 5. The authority citation for 41 CFR 304-3 continues to read as follows:

**Authority:** 5 U.S.C. 5707; 31 U.S.C. 1353.

■ 6. Add § 304-3.10 to read as follows:

**§ 304-3.10 Is my agency’s acceptance of a waived or discounted registration fee from a non-Federal sponsor of a meeting or similar function considered a payment in kind for the day(s) I am participating as a speaker, panelist, or presenter at the event?**

No. Your agency’s acceptance of a waived or discounted registration fee from the non-Federal sponsor of the event is not a payment in kind for the day(s) you are participating as a speaker, panelist, or presenter. However, your agency’s acceptance of a waived or discounted registration fee is a payment in kind for the days you only attend the event (i.e., on the day(s) you are not participating as a speaker, panelist, or presenter).

**Note to § 304-3.10:** Lodging, transportation, meals, event tickets, or other similar items of value provided by a non-Federal source are a payment in kind. If these

types of expenses are included in a registration fee that is waived or discounted on the day(s) you are participating as a speaker, panelist, or presenter, you may accept them only with your agency’s approval in accordance with this chapter. Specifically, if the registration fee includes meal(s), the meal(s) are a payment in kind. You may accept the meal(s) only if authorized to do so by your agency. If your agency authorizes acceptance of meal(s), you must also deduct the meal(s) from your M&IE per diem on your travel voucher using the deduction amounts listed for the locality at <https://www.gsa.gov/mie> unless you are unable to consume the meal(s) due to an exception provided in § 301-11.18.

■ 7. Amend § 304-3.19(d) by revising the third sentence to read as follows:

**§ 304-3.19 Are there other situations when I may accept payment from a non-Federal source for my travel expenses?**

\* \* \* (**Note:** You may also be able to accept attendance at, but not other travel expenses to, a widely attended gathering under 5 CFR 2635.204(g) when the gathering is not a meeting, as defined in this part, and you are not attending in your official capacity. Unless authorized to do so by your agency, you may not accept travel, subsistence, or related expenses, including meals, offered by a non-Federal source for participation as a speaker, panelist, or presenter at a meeting or similar function that takes place away from your permanent duty station. Such expenses are considered payments in kind and must be accepted, if at all, in accordance with this part.)

**PART 304-5—AGENCY RESPONSIBILITIES**

■ 8. The authority citation for 41 CFR 304-5 continues to read as follows:

**Authority:** 5 U.S.C. 5707; 31 U.S.C. 1353.

■ 9. Add § 304-5.7 to read as follows:

**§ 304-5.7 How do we review offers of payments in kind from the non-Federal sponsor or organizer of a meeting or similar function for items such as meals, transportation, and lodging when they are included in a waived or discounted registration fee?**

(a) If the non-Federal sponsor or organizer of a meeting or similar function offers to waive or discount the registration fee of an employee who is only attending the event, you are not required to separately authorize acceptance of any items included in the registration fee. If applicable, acceptance of the registration fee must be reported to OGE in accordance with FTR Part 304-6.

(b) When a waived or discounted registration fee is not a payment in kind pursuant to § 304-3.10, the employee

may only accept items that you authorize separately. If applicable, the value of any payments in kind so accepted should be reported to OGE in accordance with FTR Part 304-6. In particular, if a registration fee is waived or discounted on the day(s) an employee is participating as a speaker, panelist, or presenter, and the registration fee includes meal(s), the employee may accept meal(s) as a payment in kind only if you review the offer and authorize acceptance. Review the reporting guidelines at § 304-6.4 to see if the aggregated meal amounts (if more than one meal, or meals of both an employee and spouse) will need to be reported to OGE.

**PART 304-6—PAYMENT GUIDELINES**

■ 10. The authority citation for 41 CFR 304-6 continues to read as follows:

**Authority:** 5 U.S.C. 5707; 31 U.S.C. 1353.

■ 11. Amend § 304-6.6 by revising paragraphs (a) and (c) to read as follows:

**§ 304-6.6 How do we determine the value of payments in kind that are to be reported on Standard Form (SF) 326?**

\* \* \* \* \*

(a) For conference, training, or similar fees waived, discounted, or paid for by a non-Federal source on behalf of a meeting attendee, you must report the amount charged to other attendees. However, a waiver or discount of the registration fee by the non-Federal sponsor of the event for the day(s) the employee participated in the meeting or similar function as a speaker, panelist, or presenter is not a payment in kind and does not need to be reported.

(c) For meals, you must use the M&IE deduction chart for CONUS and OCONUS located at [www.gsa.gov/mie](http://www.gsa.gov/mie) and report the appropriate amount for each meal based on the temporary duty locality.

\* \* \* \* \*

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**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[MB Docket No. 19-118, RM-11838; DA 19-316]

**Television Broadcasting Services; Buffalo, New York**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission has before it a petition for rulemaking filed by Nexstar Broadcasting, Inc., licensee of television station WNLO(TV), channel 32, Buffalo, New York (WNLO), and WUTV Licensee, LLC (WUTV Licensee), licensee of television station WUTV(TV), channel 36, Buffalo, New York. The Joint Petitioners propose the substitution of channel 32 for channel 36 as WNLO's DTV allotment; and the substitution of channel 36 for channel 32 as WUTV's allotment. The Joint Petitioners also request a waiver of the Media Bureau's current freeze on the filing and processing of petition for digital channel substitutions and minor modification applications for changes to existing television service areas that would increase a full power television noise limited contour. The Joint Petitioners seek to exchange the channels of WNLO and WUTV so that after the swap, WNLO would operate on channel 36 and WUTV would operate on channel 32. WUTV would continue to operate from its existing pre-auction location and WNLO would move the Nexstar shared facilities in the site previously vacated by WIVB-TV (Buffalo, New York (CBS) (WIVB)). The channel substitution serves the public interest because it would allow for a more efficient allocation of UHF television channels and resolve significant over-the-air reception problems in WIVB's prior service area.

**DATES:** Comments must be filed on or before May 22, 2019; and reply comments on or before June 3, 2019.

**ADDRESSES:** Federal Communications Commission, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve counsel for petitioner as follows: Nexstar Broadcasting, Inc., c/o Elizabeth Ryder, 345 E John Carpenter Freeway, Suite 700, Irving, Texas 75062 and WUTV Licensee, LLC, c/o Paul A. Cicelski, Esq., Lerman Senter PLLC, 2001 L Street NW, Suite 400, Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** Varsha Mangal, [Varsha.Mangal@fcc.gov](mailto:Varsha.Mangal@fcc.gov), or Joyce Bernstein, [Joyce.Bernstein@fcc.gov](mailto:Joyce.Bernstein@fcc.gov), of the Media Bureau, Video Division.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 19-118, DA 19-316, RM-11838, adopted April 23, 2019, and released April 23, 2019. The full text of this document is available for public inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street SW, Washington, DC 20554. This document will also be available via ECFS (<http://www.fcc.gov/cgb/ecfs/>). (Documents will be available electronically in ASCII, Word 97, and/or Adobe Acrobat.) To request this document in accessible formats (computer diskettes, large print, audio recording, and Braille), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Commission's Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4).

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts (other than *ex parte* presentations exempt under 47 CFR 1.1204(a)) are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1208 for rules governing restricted proceedings.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.419.

**List of Subjects in 47 CFR Part 73**

Television.  
Federal Communications Commission.  
**Barbara Kreisman,**  
*Chief, Video Division, Media Bureau.*

**Proposed Rules**

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

**PART 73—RADIO BROADCAST SERVICES**

■ 1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334, 336, and 339.

**§ 73.622 Digital television table of allotments.**

■ 2. In the table for § 73.622(i), revise the entry for Buffalo to read as follows:

\* \* \* \* \*

(i) *Post-Transition Table of DTV Allotments.*

\* \* \* \* \*

Community	Channel No.
<b>NEW YORK</b>	
	* * * * *
Buffalo .....	14, 32, 33, 36, 38, 39, *43, 49.
	* * * * *

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