

STAFF REPORT FOR CALENDAR ITEM NO.: 8.3
FOR THE MEETING OF: September 10, 2026

TRANSBAY JOINT POWERS AUTHORITY

BRIEF DESCRIPTION:

Approval of amendment to Board Policy No. 008, Travel, Conference and Business Expense Policy.

EXPLANATION:

The TJPA Board initially approved Board Policy No. 008, Travel, Conference and Business Expense Policy (Travel Policy), in 2005, and has not amended the Policy since its initial approval. The Travel Policy provides rules regarding travel and business-related expenses incurred while conducting authorized, official business of the TJPA.

The TJPA recognizes the benefit of attendance at meetings, conferences and other functions that advance professional knowledge and provide opportunities to exchange information related to transportation government operations and industry issues. The Travel Policy establishes the circumstances under which TJPA personnel and consultants may be reimbursed for travel, business expenses, and related fees that serve a TJPA purpose and are necessary or advantageous to the TJPA.

Since 2005, federal travel standards and industry practices have evolved, and so have the Agency's operations and funding requirements. The proposed amendments update the Policy to establish consistent requirements for travel authorization, reimbursement, documentation, and approval; clarify its applicability to Board Directors, officers, employees, consultants, and subconsultants; and incorporate current Federal Travel Regulation (FTR), General Services Administration (GSA) per diem, Internal Revenue Service (IRS) mileage, and applicable federal funding requirements. The amendments also clarify allowable transportation, lodging, meals and incidental expenses, conference and business meeting expenses, and requirements for consultant and subconsultant reimbursements.

RECOMMENDATION:

Staff recommends the TJPA Board approve the proposed amendments to Board Policy No. 008, Travel, Conference and Business Expense Policy, as detailed in the enclosed.

ENCLOSURES:

1. Resolution
2. Board Policy No. 008: Travel, Conference and Business Expense Policy (existing policy and recommended amended version)

**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

Resolution No. _____

WHEREAS, The Transbay Joint Powers Authority (TJPA) is a joint powers agency organized and existing under the laws of the State of California; and

WHEREAS, Pursuant to the Joint Powers Agreement creating the TJPA, dated April 4, 2001 as subsequently amended (Agreement), the TJPA has the authority to, among other things, make and enter into contracts, incur debts, employ agents and employees, disburse monies, and exercise all powers necessary and proper to carry out the provisions of the Agreement; and

WHEREAS, The TJPA Board adopted the Travel, Conference, and Business Expense Policy identified as Board Policy No. 008 on November 17, 2005 to govern travel and reimbursement for Board members, officers, and employees (“Board Policy”); and

WHEREAS, The TJPA staff developed a Travel, Business Expense, and Relocation Policy – Standard Practices and Guidelines for Consultants and Subconsultants in 2004, as amended in 2009, to govern travel and reimbursement for consultants (“Consultant Guidelines”); and

WHEREAS, Staff recommends amendments to the Board Policy to incorporate into the policy terms and provisions applicable to consultants and subconsultants (thereby replacing the Consultant Guidelines); establish consistent requirements; provide appropriate systems for accountability; modernize the policy; and maintain strict adherence to both federal and local travel regulations and standards; now, therefore, be it

RESOLVED, That the TJPA Board adopts the revised Travel, Conference, and Business Expense Policy identified as Board Policy No. 008 in the form presented.

I hereby certify that the foregoing resolution was adopted by the Transbay Joint Powers Authority Board of Directors at its meeting of September 10, 2026.

Secretary, Transbay Joint Powers Authority

TRANSBAY JOINT POWERS AUTHORITY

Board Policy No. 008

Category: Financial Matters

TRAVEL, CONFERENCE, AND BUSINESS EXPENSE POLICY

I. Purpose

The purpose of Transbay Joint Powers Authority (TJPA) Board Policy No. 008: Travel, Conference, and Business Expense Policy (“Policy”) is to establish uniform requirements and procedures governing authorization, reimbursement, documentation, and approval of travel and business-related expenses incurred that are directly related to official business of the TJPA. This Policy applies to the TJPA Board of Directors, employees, officers, consultants, and subconsultants.

This Policy is intended to ensure prudent stewardship of public funds; promote consistency and accountability in reimbursement practices; ensure compliance with applicable federal, state, and local requirements; establish authorization and approval procedures for allowable expenses; and ensure expenses are reasonable, necessary, properly documented, and directly related to official business of the TJPA.

To the extent this Policy conflicts with applicable federal, state, or local law, such federal, state, or local law shall apply.

Nothing herein is intended to expand or modify the otherwise applicable requirements of the TJPA Procurement Policy, consultant contract provisions, or grant requirements.

II. General Policy

The TJPA recognizes the benefit of attendance at meetings, conferences, training programs, inspections, stakeholder meetings, and other activities that advance professional knowledge; support transportation and infrastructure project delivery; facilitate regulatory compliance; promote coordination with partner agencies and stakeholders; and are directly related to the official business of the TJPA.

The TJPA shall reimburse only those travel, conference, and business expenses that are authorized in advance, reasonable and necessary, supported by appropriate documentation, and are directly related to the official business of the TJPA. The TJPA reserves the right to deny or reduce reimbursement for expenses deemed unreasonable, excessive, insufficiently documented, or inconsistent with this Policy.

Except where this Policy is more restrictive, reimbursement for travel, conference, and business expenses shall conform to:

- Current Federal Travel Regulation (FTR);
- Current U.S. General Services Administration (GSA) per diem rates;
- Current IRS standard mileage rate;
- 2 CFR Part 200, where applicable; and
- Applicable grant or funding agency requirements.

All persons expending funds for travel, conference, and business expenses are expected to exercise sound business judgment and minimize costs whenever practicable.

Current federal travel regulations and rates are available at:

- GSA Per Diem Rates: <https://www.gsa.gov/travel/plan-book/per-diem-rates>
- Federal Travel Regulation: <https://www.gsa.gov/policy-regulations/regulations/federal-travel-regulation>
- IRS Mileage Rates: <https://www.irs.gov/tax-professionals/standard-mileage-rates>

Travelers are responsible for timely cancellation of and maximum recovery for travel, conference and business expenses if travel is cancelled or postponed. TJPA will not be liable for any costs when the travel does not occur. In instances where travelers are reimbursed in advance for limited travel expenses, such as airfare or conference fees, the traveler is responsible for promptly returning any funds received from TJPA if the travel is cancelled or the expense is otherwise not incurred.

III. Applicability

This Policy applies to:

A. TJPA Personnel

1. Board of Directors
2. Employees; and
3. Officers

B. Consultants and Subconsultants

1. Prime consultants/contractors under contract with TJPA
2. Subconsultants performing work under contracts with TJPA
3. Independent contractors when reimbursement is authorized by contract with TJPA
4. All consultants reimbursed with TJPA funds

Consultants and subconsultants are eligible for reimbursement only to the extent expressly permitted under their executed contract with TJPA.

IV. Travel Authorization and Approval Requirements

A. TJPA Personnel

All travel, conference and business expenses must be authorized in advance in writing. A written or electronic Travel Authorization Form must be completed, signed by the employee, and approved by the traveler's supervisor and the Chief Financial Officer (CFO) or their designee prior to incurring reimbursable expenses. Travel by the Executive Director and Board Directors or Officers must be authorized by the Chair of the Board and CFO; travel by the Chair of the Board must be authorized by the Vice Chair of the Board and CFO; travel by the CFO must be authorized by the Executive Director and Chief of Staff. Information required on the authorization form includes:

- Date(s) of travel and location
- Business purpose of travel
- Estimated expenses including registration fee, cost of air ticket, other transportation costs (i.e. taxi, shuttle, Transportation Network Companies (TNCs), or car rental), lodging, and meals. Fully itemized details in accordance with the guidelines in this document must be provided for estimated expenses.

If an expense that is not listed on the Travel Authorization Form is incurred, it will only be reimbursed if the following conditions are met:

- The expense was reasonable
- A written justification is provided
- The business need can be identified and documented
- Approval for the exception has been obtained from the traveler's authorizing entities specified above.

B. Consultants and Subconsultants

All travel, conference, and business expenses must be authorized in advance in writing. A written or electronic Travel Authorization Form must be completed, signed by the traveler, and approved by the traveler's contract/project manager and TJPA CFO or their designee prior to incurring reimbursable:

- Travel expenses;
- Conference expenses;
- Business expenses; or
- Indefinite assignment expenses.

Information required on the authorization form includes:

- Date(s) of travel and location
- Business purpose of travel
- Estimated expenses including registration fee, cost of air ticket, other transportation costs (i.e. taxi, shuttle, Transportation Network Companies (TNCs), or car rental), lodging, and meals. Fully itemized details in accordance with the guidelines in this document must be provided for estimated expenses.

If an expense that is not listed on the Travel Authorization Form is incurred, it will only be reimbursed if the following conditions are met:

- The expense was reasonable
- A written justification is provided
- The business need can be identified and documented
- Approval for the exception has been obtained from the traveler's authorizing entities specified above.

Consultant reimbursement is subject to:

- Applicable contract provisions (reimbursement is permitted only to the extent expressly permitted under executed contract with TJPA);
- Grant requirements;
- Federal funding restrictions; and
- This Policy.

V. Travel Expense Reimbursement

Eligible individuals may claim reimbursement for actual reasonable, necessary, and authorized expenses for the following items incurred in the discharge of their official duties, subject to submission of proper receipts and to the limitations set forth herein:

A. Air Travel

The Fly America Act requires all flights charged to federal awards be booked with U.S. flag air carriers, with certain exceptions (as listed on the [GSA website](#)). The requirement applies to all travelers, including a foreign visitor's flights when supported by federal funds. The TJPA may use federal funds for certain travel, therefore the Fly America Act shall apply to any flights used for business-related travel. If there is no U.S. carrier to the destination, the traveler must take a U.S. carrier as far as possible. By law, any additional cost incurred by selecting a U.S. carrier flight is not sufficient justification to fly on foreign carriers.

1. The actual cost of economy class/coach airfare is reimbursable. The cost of premium, business, or first-class airfare is not reimbursable unless specifically permitted for accommodation required by law or when coach service results in additional aggregate costs for the travel (i.e., lodging and meals) that would offset the transportation savings.
2. Upgrades are not reimbursable except as provided above, or when it is documented to be cost-neutral.
3. Air tickets must be purchased in advance to take advantage of the most economical fares available. Same day or near travel day ticket purchases are not reimbursable unless approved by the CFO or their designee and properly justified.
4. Air travel itinerary is required to be submitted with travel claim documentation.

5. Travelers may retain “frequent flier” miles and benefits for which they may be eligible.
6. Reimbursement requests for airfare purchased using a traveler’s personal frequent flier program miles or gift cards are not allowed.
7. The following fees are permissible ancillary airline fees, whether they are charged as part of the airfare or separately:
 1. First checked baggage fee;
 2. Standard seat selection;
 3. Early boarding only when it is required for baggage handling, equipment transport, or disability accommodation;
 4. Business-related in-flight internet access may be reimbursable when necessary to conduct official business of the TJPA while in flight.

B. Personal Vehicle Use

Efforts shall be made to utilize public transportation in the course of local travel for TJPA business. In instances where an eligible individual is authorized to use a privately owned vehicle for business-related travel within the nine (9) Bay Area Counties:

1. Mileage reimbursement for use of a privately owned vehicle shall be paid at the current IRS standard mileage rate.
2. Mileage reimbursement shall apply only to business-related travel beyond normal commuting.
3. Mileage documentation must include:
 1. Date of travel;
 2. Starting point (e.g., worksite or home, whichever is the closer of the two) and the destination
 3. Business purpose; and
 4. Total mileage using odometer reading, beginning and ending, or a printout from an automated mapping program (e.g., Google Maps) showing the route and mileage
4. Mileage reimbursement shall not be provided where a vehicle allowance is already provided.
5. Fuel reimbursement is not permitted when mileage reimbursement is claimed.
6. Personal vehicle maintenance, repair, insurance, violations, towing charges, and related personal expenses are not reimbursable.
7. Bicycles and personal micromobility devices are not eligible for mileage reimbursement.

C. Rental Vehicles

Rental vehicles may be authorized when more economical or operationally necessary than other alternative transportation.

1. Cost of rental car is reimbursable if it was pre-approved in the Travel Authorization Form.
2. Car rental is limited to economy/compact size vehicles. Midsized/standard-sized vehicles are not reimbursable unless specifically authorized for a reasonable justification, such as transporting 3 or more passengers on official TJPA business, carrying significant equipment or supplies, or when smaller vehicles are unavailable.
3. Fuel expenses for rental vehicles are reimbursable with receipts.
4. Personal accident insurance, supplemental liability insurance, and similar optional rental vehicle insurance products are non-reimbursable when coverage is otherwise provided by TJPA or the rental agreement.

D. Parking, Tolls, and Local Transportation

Parking fees, bridge tolls, transit fares, airport shuttle charges, and rideshare expenses may be authorized.

1. Parking, tolls, and local transportation reimbursement is not permitted as part of a normal commute.
2. Parking reimbursement is not permitted where a periodic parking allowance has been provided for such purposes.
3. Local transit fares reimbursement is not permitted where periodic transit fare allowance has been provided.

E. Lodging

1. Lodging must be reserved in advance to take advantage of the most economical rates available. Same day or near travel day rates are not reimbursable unless properly justified on the Travel Authorization Form and approved by CFO or their designee.
2. Lodging reimbursement shall be limited to applicable GSA lodging per diem rates. Lodging taxes are not included in the per diem rate and are reimbursable as a miscellaneous travel expense limited to the taxes on reimbursable lodging costs.
3. Conference lodging exceeding GSA rates may be reimbursed when:
 1. Conference documentation supports the rate;
 2. Comparable lower-cost lodging was unavailable; or
 3. Operational circumstances justify the higher rate.

4. Lodging above GSA rates requires written justification and advance written approval from CFO (or designee).
5. Reimbursement is limited to standard single-room occupancy.
6. Itemized receipts are required for lodging and authorized expenses of \$75 or greater.
7. Lodging within the nine-county Bay Area is not reimbursable unless overnight travel is specifically approved.
8. Reasonable laundry and dry-cleaning expenses may be reimbursed for travel exceeding four (4) consecutive nights.

F. Meals & Incidental Expenses (M&IE)

The purchase of meals is authorized when an individual is required to be away from the normal work site or home for more than 12 hours due to TJPA-related business travel outside the nine-county Bay Area.

1. M&IE reimbursement shall be limited to a per-diem basis at the applicable U.S. General Services Administration (GSA) rate for the travel destination.
2. Itemized receipts for meals and incidental expenses are not required when reimbursement is made on a per-diem basis. The traveler must provide sufficient documentation of the dates, destination, business purpose, and other information necessary to establish eligibility for reimbursement.
3. The applicable M&IE allowance shall be reduced for meals provided by the government or included in a registration fee, consistent with applicable GSA requirements. A copy of the conference schedule and any other conference information must be attached to the travel claim documentation.
4. Meals provided by a common carrier or complimentary meals provided by a hotel or motel do not affect reimbursement for per diem allowance.
5. The cost of meals associated with conferences may be reimbursed at rates higher than the GSA per diem rate when attendance at such meal is an essential part of the professional training or technical content of the event.
6. Per diem reimbursement for meals associated with travel within the nine-county Bay Area or same day travel is not allowable, unless specifically approved.

The Federal Travel Regulation Chapter 300, Part 300-3, under Per Diem Allowance, describes incidental expenses as: Fees and tips given to porters, baggage carriers, hotel staff, and staff on ships.

Each city in the federal rate guide has a dollar value for the full day depending on the relative cost of meals in that jurisdiction. Once travelers obtain the total dollar value, they can refer to the [M&IE breakdown table](#) to determine the rates for each meal and incidentals.

The first and last days of both domestic and international travel per diem are reimbursed at 75% of the full day regular GSA rate. The [M&IE breakdown table](#) lists the GSA's per diem amount travelers receive on the dates of their departure (first travel day) and return (last travel day).

G. Communications and Miscellaneous Expenses

The following expenses may be reimbursable when directly related to the official business of the TJPA:

- Internet access fees;
- Business telephone charges unless a periodic telephone allowance has been provided for such purposes;
- Printing and copying;
- Shipping or mailing costs;
- Currency conversion fees related to approved international travel; and
- Other reasonable travel-related business expenses approved in advance.

Documentation supporting the business necessity of such expenses shall be provided.

H. Unallowable and Non-Reimbursable Expenses.

The following expenses will not be reimbursed unless highly unusual circumstances have occurred and written pre-approval was obtained on the Travel Authorization Form.

- Alcoholic beverages;
- Personal entertainment;
- Personal travel expenses;
- Personal grooming or hygiene items;
- Travel insurance;
- Airline club memberships;
- Traffic or parking violations;
- Commuting expenses;
- Personal telephone calls unrelated to TJPA business;
- Companion or spouse travel expenses;
- Luxury accommodations or transportation;
- Tips or gratuities exceeding reasonable customary amounts;
- Expenses lacking adequate documentation; and
- Any expenses determined by the CFO or their designee to be excessive, unreasonable, or unrelated to TJPA business.

VI. Business (Non-Travel) Expense Reimbursement

A. Business Expense

Except as otherwise provided, TJPA personnel shall obtain advance written authorization for business meeting expenses from their managers and CFO or their designee.

1. Information required on the authorization form includes:
 - i. Date(s) of expense
 - ii. Description of the expenditure
 - iii. Business-related purpose or need for purchase
2. Every effort should be made to avoid incurring business meeting meal and refreshment expenses, such as providing meeting participants with adequate independent meal breaks and/or scheduling meetings during non-meal times. If meal or refreshment expenses are to be incurred, every effort should be made to minimize the cost.
3. When sponsoring a public meeting related to official TJPA business, the TJPA may provide light refreshments to individuals attending the meeting.

B. Conference Registration Fees

Conference registration fees may be authorized by the respective manager and CFO or their designee. Registration will be reimbursed at actual cost. Official literature indicating the cost of the registration and conference or meeting dates must accompany the documentation requesting reimbursement.

VII. Consultant and subconsultant special requirements

A. Contract Controls

Consultants and subconsultants shall only be reimbursed for travel and business expenses expressly permitted by contract.

Nothing in this Policy guarantees reimbursement beyond contractual limits.

B. Indefinite Assignments

Long-term or indefinite assignments requiring subsistence allowances must receive advance written approval from the CFO or their designee.

Such assignments shall:

- Be reviewed at least every six (6) months;
- Comply with applicable GSA and FTR requirements; and
- Be supported by adequate business justification.

VIII. International Travel

International travel requires advance written approval from the Executive Director or Board Chair.

Travelers shall comply with:

- Applicable federal funding restrictions;
- Fly America Act requirements;
- U.S. Department of State travel advisories; and
- Any applicable grant or funding agency restrictions.

Reasonable passport, visa, or required immunization expenses directly related to approved TJPA international travel may be reimbursable.

IX. Fraud, Misuse, And Audit Rights

Submission of false, misleading, duplicated, or fraudulent reimbursement claims may result in:

- Denial of reimbursement;
- Repayment obligations;
- Contract remedies;
- Disciplinary action;
- Termination; and/or
- Referral to appropriate authorities.

TJPA reserves the right to audit any reimbursement request, supporting documentation, or travel-related records.

TRANSBAY JOINT POWERS AUTHORITY

Board Policy No. 008

Category: Financial Matters

TRAVEL, CONFERENCE, AND BUSINESS EXPENSE POLICY

I. Purpose

The purpose of Transbay Joint Powers Authority (TJPA) Board Policy No. 008: Travel, Conference, and Business Expense Policy is to establish a set of policies relating to travel, conference, and business expenses. This policy is not intended to circumvent the TJPA policy on purchasing or compliance with Federal, State, and local regulations.

II. General Policy

The TJPA recognizes the benefit of attendance at meetings, conferences and other functions that advance professional knowledge and provide opportunities to exchange information related to transportation government operations and issues. The TJPA recognizes that in some instances it is necessary and/or convenient for authorized personnel to expend sums and incur expenses for travel and other business purposes in connection with the official business of the TJPA. The policy of the TJPA is to pay or reimburse TJPA personnel for such expenses, travel and fees that serve a TJPA purpose and are deemed necessary and/or advantageous to the TJPA.

In general, it is the policy of the TJPA to provide reimbursement of actual expenses based upon receipts up to the maximum amount allowable under the Federal Travel Regulation (FTR), except in those cases where the TJPA policy is more stringent than the FTR. All reasonable efforts should be made to incur travel and business expenses at or below the per diem rates established by the U.S. General Services Administration (GSA). Current information about the FTR, GSA, and IRS regulations is available at www.gsa.gov and www.irs.gov.

III. Eligibility

The following TJPA personnel are eligible to receive reimbursement for authorized expenses under this policy:

- A. Directors
- B. Officers; and

C. TJPA staff.

In order to be eligible for reimbursement, travel, conference fees, and expenses shall be authorized in advance in writing. For TJPA staff, authorization shall be obtained from the Executive Director or his or her designee. Travel by the Executive Director, Board Directors or Officers shall be authorized by the Chair of the Board.

IV. Expense Reimbursement

Eligible individuals shall be entitled to claim reimbursement for actual reasonable, necessary, and authorized expenses for the following items incurred in the discharge of their official duties, subject to submission of proper receipts and to the limitations set forth herein:

A. Air Travel.

1. The actual cost of economy class/coach airfare, or the cost of business or first class airfare when coach service is not available, will be reimbursed. Reasonable efforts shall be made to obtain the lowest possible airfare.
2. **Frequent Flier Miles.** TJPA personnel may retain “frequent flier” miles and benefits for which he/she may be eligible.

B. Lodging. The reasonable actual cost for single person occupancy, or, if applicable, the negotiated rate for conference attendees, will be reimbursed. Reasonable efforts shall be made to incur lodging expenses at or below the GSA per diem rate.

C. Automobiles.

1. Efforts shall be made to utilize public transportation in the course of local travel for TJPA business. In instances where an eligible individual uses his or her private automobile for a trip between his or her normal work location and another designated work location (e.g., the site of a meeting or inspection), the individual shall be reimbursed for such mileage at the current authorized reimbursement rate established by the United States Internal Revenue Service. This provision shall not apply in cases where a periodic automobile allowance has been provided for such purposes. Rental car rates may not exceed the rate charged for a full-sized vehicle unless previously authorized.
2. The TJPA maintains insurance against liability for staff, directors and officers related to the use of personal or rented vehicles on TJPA business. Accordingly, no reimbursement shall be permitted with respect to the cost of personal auto liability insurance or with respect to any coverages purchased by an individual in connection with the rental of a vehicle on TJPA business.

D. Meals. Meals reimbursement per person shall be for actual expenditures not to

exceed the per diem rates established by GSA. The purchase of meals is authorized when an individual is required to:

1. Be away from the normal work site or home for more than 12 hours due to TJPA related business travel outside the nine-county Bay Area.
2. Purchase meals associated with conferences. The cost of banquets and meals associated with conferences may be reimbursed at rates higher than the GSA per diem rate when attendance at the meal is an essential part of the professional training or technical content of the event.

E. Business Meeting Expense.

1. Except as otherwise provided, TJPA personnel shall obtain advance written authorization for business meal and refreshment expenses. Every effort should be made to avoid incurring business meeting meal and refreshment expenses, such as providing meeting participants with adequate independent meal breaks and/or scheduling meetings during non-meal times. If meal or refreshment expenses are to be incurred, every effort should be made to minimize the cost.
2. When sponsoring a public meeting related to official TJPA business, the TJPA may provide light refreshments to individuals attending the meeting.
3. Actual expenses related to conducting official TJPA business with government officials, media representatives, contractors, and other similar persons will be reimbursed. Supporting detail must include receipts, names and positions of the individuals involved and a brief statement of the business necessity of the expenditure.

F. Conference Registration Fees. Registration fees for authorized conferences or meetings will be paid at actual cost. Official literature indicating the cost of the registration and conference or meeting dates must accompany the documentation requesting payment or reimbursement.

G. Miscellaneous Expenses. Other expenses that may be reimbursed include:

1. Reasonable bridge tolls and parking expenses, unless the charges are incurred as part of a normal commute. This provision shall not apply in cases where a periodic parking allowance has been provided for such purposes.
2. Telephone charges required for TJPA business. This provision shall not apply in cases where a periodic telephone allowance has been provided for such purposes.
3. Local transit fares, unless the charges are incurred as part of a normal commute. This provision shall not apply in cases where a periodic transit

fare allowance has been provided for such purposes.

4. Other reasonable travel expense with advance authorization as described in section III of this policy.

H. Non-Reimbursable Expenses. These expenses include meals eaten at home; alcoholic beverages; tips or gratuities associated with meals, travel, or other services; personal telephone calls; personal items; travel insurance; or expenses which are excessive or unreasonable as determined by the Executive Director in his or her discretion.