

Calendar No. 533105TH CONGRESS }
2d Session }

SENATE

{ REPORT
105-295 }TRAVEL AND TRANSPORTATION REFORM ACT
OF 1997

R E P O R T

OF THE

COMMITTEE ON GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

TO ACCOMPANY

H.R. 930

TO REQUIRE FEDERAL EMPLOYEES TO USE FEDERAL TRAVEL CHARGE CARDS FOR ALL PAYMENTS OF EXPENSES OF OFFICIAL GOVERNMENT TRAVEL, TO AMEND TITLE 31, UNITED STATES CODE, TO ESTABLISH REQUIREMENTS FOR PREPAYMENT AUDITS OF FEDERAL AGENCY TRANSPORTATION EXPENSES, TO AUTHORIZE REIMBURSEMENT OF FEDERAL AGENCY EMPLOYEES FOR TAXES INCURRED ON TRAVEL OR TRANSPORTATION REIMBURSEMENTS, AND TO AUTHORIZE TEST PROGRAMS FOR THE PAYMENT OF FEDERAL EMPLOYEE TRAVEL EXPENSES AND RELOCATION EXPENSES



AUGUST 25, 1998.—Ordered to be printed

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CONTENTS

	Page
I. Purpose and Summary	1
II. Background	1
III. Legislative History	4
IV. Section-by-Section Analysis	4
V. Estimated Cost of Legislation	8
VI. Evaluation of Regulatory Impact	12
VII. Changes in Existing Law	12

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TRAVEL AND TRANSPORTATION REFORM ACT OF 1998

AUGUST 25, 1998.—Ordered to be printed

Filed under authority of the order of the Senate of July 31, 1998

Mr. THOMPSON, from the Committee on Governmental Affairs,
submitted the following

REPORT

[To accompany H.R. 930 with amendments]

[Including cost estimate of the Congressional Budget Office]

I. PURPOSE AND SUMMARY

The purpose of H.R. 930, the Travel and Transportation Reform Act of 1998, is to require employees to use Federal travel charge cards for payments of expenses of official government travel, amend title 31, United States Code, to establish requirements for prepayment audits of Federal agency transportation expenses, authorize reimbursement of Federal agency employees for taxes incurred on travel transportation reimbursements, and authorize test programs for the payment of Federal employee travel expenses and relocation expenses.

II. BACKGROUND

Federal travel results in significant expenditures for the federal government each year. Annually, the federal government spends approximately \$7 billion on travel expenses. Congress, the Administration, and various federal agencies have taken steps over the years to streamline the federal travel system. The next step in the process is H.R. 930 which, among other things, requires the use of a federal charge card for official travel. Currently, the number of travel cards being used is approximately 1.6 million and the amount spent on those cards total \$3 billion.

Reducing federal travel costs has been a longstanding goal of the U.S. government. In 1978, the deregulation of U.S. airlines spurred competition and allowed for reduced rates to consumers including the federal government. The General Services Administration (GSA) developed programs such as City-Pair and the Travel Management Centers to reduce the cost of federal travel. More recently, the Committee on Governmental Affairs Subcommittee on Oversight and Government Management held several hearings in 1995 and 1996 on reengineering the Department of Defense travel process. As a result, Congress passed and the President signed into law the Federal Employee Travel Reform Act of 1996 (Pub. L. 104-201) which made improvements in federal travel and relocation services.

The provisions in that bill included legislative changes recommended by the Joint Financial Management Improvement Program's (JFMIP) Travel Improvement Project Team. JFMIP enlisted a multi-agency task force to focus on ways for the government to save money. This task force represented over two dozen entities from the Executive and Legislative branches of the federal government including the Office of Management and Budget, the General Accounting Office, the Department of the Treasury, and the Office of Personnel Management. Many of the JFMIP recommendations were incorporated in the Federal Employee Travel Reform Act of 1996 or by changes in regulations. Requiring the use of the federal travel charge card was one of the recommendations of the JFMIP Travel Improvement Project Team.

H.R. 930 continues the effort to improve federal travel by saving unnecessary costs and making the process more efficient. To that end, H.R. 930 authorizes the mandatory use of the Federal charge card, establishes requirements for prepayment audits of transportation expenses, and authorizes test programs for the payment of Federal employee travel expenses and relocation expenses.

AUTHORITY TO REQUIRE USE OF THE TRAVEL CHARGE CARD

H.R. 930 authorizes the Administrator of General Services to require that Federal employees use the government-wide travel charge card. It also allows the Administrator of GSA to exempt any payment, person, type or class of payments, or type or class of personnel from this requirement. This provision provides exemptions for members of the Armed Forces upon request of the Department of Defense (due to the desire not to issue credit cards to new recruits) and requires GSA to consult with affected agencies before making the use of the card mandatory.

Currently, Federal agencies receive a rebate based on charges made by its employees under the government-wide travel charge card program administered by GSA. Many payments, including cash advances, hotel charges and airline tickets for travel expenses are not charged to the card. This limits the potential rebate by millions of dollars per year.

In addition, it deprives agency managers of information which would be useful in analyzing and reducing Federal travel costs. Because of this, H.R. 930 amends the Right to Financial Privacy Act of 1978. There has been some question as to the ability of the Federal government to access this information to verify that charges are business-related. This has made it difficult for the agency to

distinguish between official and unofficial travel expenses. This bill makes it clear that the agency has access to this information.

H.R. 930 authorizes the head of an agency to offset from an employee's salary his delinquent debts on a Federal travel charge card account that the government would ultimately be liable for paying. This allows the agency to ensure it does not lose money due to delinquent accounts.

Further, H.R. 930 requires the GSA Administrator to promulgate specified regulations implementing the use of travel charge cards and prepare two separate reports to the Congress on agency compliance with requirements and regulations that have been issued.

PREPAYMENT AUDITS FOR TRANSPORTATION EXPENSES

H.R. 930 mandates what is now a voluntary program for Federal agencies: the audit of transportation bills for accuracy prior to payment. Attempts by GSA to get other agencies to audit transportation charges before payment on a voluntary basis have been generally unsuccessful even though prepayment audits have been shown to generally save agency resources.

Transportation post-payment audits are a historical legacy of a regulated transportation market. Because of the difficulty in auditing invoices in a regulated environment, agencies have been using GSA to conduct post payment audits. Deregulation and technological advances have impacted positively on the current ability of agencies to determine the accuracy of transportation bills promptly, using immediate and easy computer access to rate information.

Further, resources are often wasted in attempting to collect payments erroneously paid because no prepayment audit was performed. Money and human resources could be used more efficiently if the travel expenses were verified prior to payment. GSA uses audit contractors to perform prepayment audits on some transportation vouchers. These contractors have identified overpayments that were four times the amount of the payments to contractors, proving that this is a cost-effective tool. In contrast, the GSA Office of Transportation Audits spends \$11 million to recover \$12 million in overpayments using postpayment audits.

According to the GSA, this change would save \$50 million per year in reduced transportation expenses.

REIMBURSEMENT FOR TAXES ON MONEY RECEIVED FOR TRAVEL EXPENSES

The 1992 Energy Act inadvertently established a tax liability for certain Federal employees. The Energy Act limited the income tax deduction for business related travel expenses incurred while away from home to a maximum of one year (the prior maximum was two years). Because of this tax change, most Federal agencies have limited temporary assignment to one year.

Many Federal agencies were unaware of this requirement because the IRS did not notify them until December of 1993. The agencies, therefore, did not withhold tax payments from the salaries of employees who were on temporary duty of more than one year. Thus, many of the impacted Federal employees were liable for a lump-sum payment plus penalties and interest. In some instances, the tax liability exceeds \$1,000 per employee. The bill

would provide a one-time reimbursement for the tax liability to those employees impacted by this oversight.

According to GSA, this change would cost \$4 million on a one-time basis.

AUTHORITY FOR TEST PROGRAMS

This section gives authority for Federal agencies to participate in travel pilot tests which would be expected to save taxpayer dollars. Agencies wishing to initiate pilot tests would need the approval of the General Services Administration, and would be required to submit proposals to the appropriate committees of Congress 30 days before the initiation of the pilot. This authority is limited to 10 pilot programs in each of the temporary duty travel and relocation travel areas.

AMENDMENTS

Chairman Thompson of the Committee on Governmental Affairs offered two amendments to this legislation. Both amendments were passed by voice vote in the Committee and reported out as part of the bill. The first amendment would allow for agency heads with the approval of the GSA Administrator to exempt certain payment types and personnel from the travel card requirement. This amendment was adopted to address concerns that there may be federal employees who pose a credit risk and there may be payment types, such as when vendors do not accept charge cards, which may not be conducive to the practical use of a credit card.

The second amendment requires the Federal agency to reimburse the employee for travel expenses within 30 days from receiving a proper travel voucher from the employee. If the agency fails to reimburse the employee within the 30 day period, the agency would be required to pay a late fee as prescribed by GSA to the employee. The purpose of this amendment is to provide some incentive for agencies to reimburse employees in a timely fashion and ensure that employees do not have to use their own money to pay the bill for the required travel charge card.

III. LEGISLATIVE HISTORY

H.R. 930 was introduced in the House of Representatives by Rep. Horn (R-CA) on March 5, 1997. It passed the House of Representatives on April 16, 1997 by voice vote and was received by the Senate, and referred to the Committee on Governmental Affairs. The Senate Committee on Governmental Affairs considered H.R. 930 on June 17, 1998, and ordered it reported, with amendments, by voice vote.

IV. SECTION-BY-SECTION ANALYSIS

Section 1. Short title

The title of the bill is the "Travel and Transportation Reform Act of 1998."

Section 2. Authority to require use of the travel charge card

Section 2(a) would require the Administrator, after consultation with the Secretary of the Treasury, to issue regulations which mandate the use of a federal contractor-issued travel charge card for payment of all expenses related to official travel. The section applies to members of the uniformed services and the Foreign Service, as well as Federal civilian employees. This section would exempt any payment, person, type or class of payment, or type or class of personnel from mandatory use of the travel charge card when: an exemption is in the best interest of the United States, payment through a charge card is impracticable or imposes unreasonable burdens or costs on Federal employees or Federal agencies, or with respect to members of the uniformed services, the Secretary of Defense or the Secretary of Transportation (for the Coast Guard) requests an exemption. Section 2 was developed to implement the Joint Financial Management Improvement Project (JFMIP) recommendations to mandate use of the travel charge card for travel and relocation.

Subsection (b) would allow the head of a Federal agency or his designee to exempt any payment, person, type or class of payment, or type or class of agency personnel from paragraph (a) if it is determined that such an exemption is in the interest of the agency. The section also requires the head of the agency to notify the Administrator of the General Services Administration in writing within 30 days of granting the exemption.

Subsection (c) would clarify that travel charge card information is exempt from the Right to Financial Privacy Act (RFPA). RFPA prohibits the Government from obtaining Federal employees' personal financial information except in certain situations. Although financial information obtained from the travel charge card contractor is not specifically exempted from RFPA, the Government still maintains it has the right to obtain management information on its contractor-issued charge cards.

Subsection (d) would authorize the Administrator to allow an agency to establish an offset program to collect amounts, not disputed by the employee, that the employee owes to a travel charge card contractor on a delinquent account. An agency could offset delinquent amounts against an employee's salary and or wages.

Subsection (e) would require the Administrator to issue regulations within 270 days after enactment of the Act to implement the provisions of subsections (a) and (d), and to require agencies to reimburse employees, within 30 days of the submission of a reimbursement claim, for travel expenses charged on a contractor-issued travel charge card.

Subsection (f) mandates two separate reports to the Congress on agency compliance with requirements and regulations that have been issued, and requires each report to be based on a sampling survey of agencies that have expended more than \$5 million during the previous fiscal year on travel and transportation payments, including payments for employee relocation. It also directs the head of an agency to provide to the Administrator the necessary information in a format prescribed by the Administrator and approved by the Director of the Office of Management and Budget.

Subsection (g) establishes that if the head of an agency fails to ensure that the agency reimburses the employee who submits the proper voucher for allowable travel expenses within 30 days after the submission of the voucher, the agency would be required to pay a late fee to the employee as prescribed by the Administrator of GSA.

Section 3. Prepayment audits of transportation expenses

Section 3 requires agencies to verify transportation charges through prepayment audits (instead of postpayment audits by GSA), unless the Administrator of General Services determines that such prepayment audits would not adequately protect the Government.

Specifically, this section requires each agency that receives a bill from a carrier or freight forwarder for transporting an individual or property for the U.S. Government, to verify its correctness (to include transportation rates, freight classifications, or proper combinations thereof), using prepayment audit, prior to payment in accordance with the current requirements and regulations prescribed by the Administrator. The Administrator is permitted to exempt bills, a particular mode or modes of transportation, or an agency or subagency from a prepayment audit and verification and instead require a postpayment audit if it is cost effective, in the public interest, or other factors similar factors apply which the Administrator considers appropriate.

Further, section 3 authorizes the Administrator to conduct pre- or post-payment audits of transportation bills of any Federal agency; it directs the Administrator to adjudicate transportation claims that cannot be resolved by the agency procuring the transportation services, or the carrier or freight-forwarder presenting the bill; it allows a claim only if it is received by the Administrator not later than three years (excluding time of war) after the later of the specified dates; it terminates the reporting requirement respecting a report of receipts, disbursements, and transfers on December 31, 1998; and it allows the Administrator to provide transportation audits and related technical assistance services, on a reimbursable basis, to any other agency.

Section 4. Reimbursement for taxes on money received for travel expenses

Section 4 would authorize an income tax allowance for income taxes paid on long term temporary duty assignments. In 1992, the Congress eliminated the travel expense deduction for travel assignments lasting more than one year, which caused all travel expense reimbursements to become taxable income to the employee. Further, the agency failed to withhold taxes due on these reimbursements leaving employees with large lump-sum tax payments. This section would compensate those employees for taxes incurred on travel expense reimbursements for assignments lasting more than one year.

Section 5. Authority for test programs

Section 5 would allow the Administrator of General Services to authorize travel and relocation test programs. This section would

allow agencies to test new methods of paying travel and relocation expenses without seeking authorizing legislation. If a test program proved successful, GSA could seek legislation to permanently implement the program and use data from that program to support GSA's legislative request.

Section 5 also requires agencies to include in any request to the Administrator for approval of such a test program an analysis of the expected costs and benefits and a set of criteria for evaluating the effectiveness of the program; it mandates a report to the Administrator and the appropriate congressional committees; and it limits the number of test programs that may be conducted simultaneously.

Section 6. Definition of United States

Section 6 would provide a single definition of the United States for use throughout subchapter II of chapter 57 of title 5, United States Code. According to GSA, the lack of a definition of the United States in subchapter II has resulted in cumbersome and confusing statutory construction of relocation allowances. This section would provide a single definition of "United States" throughout subchapter II which would include the United States, its territories and possessions, the Commonwealths of Puerto Rico and the Northern Mariana Islands, and the areas and installations in the Republic of Panama that are made available to the United States pursuant to the Panama Canal Treaty of 1977 and related agreements (as described in section 3(a) of the Panama Canal Act of 1979).

Addition of the single definition would affect only one allowance—the allowance for house hunting trip expenses. Currently, the allowance is allowed only for employees transferring between official stations within the several States. Like those employees, however, employees transferred to a nonforeign area outside the several States currently are eligible for the temporary quarters subsistence expenses and residence transaction expenses allowances. This section would create parity for employees transferred to a nonforeign area by permitting agencies to also authorize a house hunting trip to the territories and possessions, the Commonwealths of Puerto Rico and the Northern Mariana Islands, and the areas and installations in the Republic of Panama that are made available to the United States pursuant to the Panama Canal Treaty of 1977 and related agreements (as described in section 3(a) of the Panama Canal Act of 1979).

Section 7. Technical corrections to the Federal Employee Travel Reform Act of 1996

Section 7 would make certain technical corrections to the Federal Employee Travel Reform Act of 1996. This section is designed to ensure that the provisions of the Federal Employee Travel Reform Act of 1996 are technically correct and can be implemented as originally envisioned.

V. ESTIMATED COST OF LEGISLATION

U.S. CONGRESS,
 CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 1, 1998.

Hon. FRED THOMPSON,
Chairman, Committee on Governmental Affairs,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 930, the Travel and Transportation Reform Act of 1998.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is John R. Righter.

Sincerely,

PAUL VAN DE WATER
 (For June E. O'Neill, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 930—Travel and Transportation Reform Act of 1998

Summary: H.R. 930 would require that federal agencies verify travel and transportation bills for accuracy prior to payment and that employees use a government charge card for official travel. In addition, the legislation would allow agencies to reimburse employees for certain tax liabilities. CBO estimates that enacting this legislation would reduce federal travel costs—which are largely paid out of appropriated funds—by about \$90 million over the 1999–2003 period by increasing the amount of funds saved by auditing transportation payments and by increasing the amount rebated to federal agencies by American Express or other contractors that issue charge cards for official government travel. These savings would be partially offset by payments of approximately \$5 million in fiscal year 1999 to reimburse employees for certain taxes they had to pay. Agencies would be allowed to spend any of the funds saved from prepayment audits and travel card rebates. Hence, increasing the audits of transportation vouchers prior to payment or the use of a government charge card would have no net budgetary effect over time, unless agency appropriations were reduced to reflect the savings.

Because implementing H.R. 930 would affect direct spending, pay-as-you-go procedures would apply. CBO estimates that enacting the legislation would increase direct spending by less than \$1 million in fiscal year 2000 and by about \$3 million each year thereafter. That change would result from increasing prepayment audits, which would reduce the net amount that the General Services Administration (GSA) recovers annually from auditing paid travel and transportation bills. Receipts above the amounts GSA spends to administer and pay for audit contracts accrue to the Treasury, whereas agencies may retain and spend the funds they save by auditing bills prior to payment. Because it would not take effect until 18 months after enactment, the provision would not affect spending in fiscal year 1999. In addition, the legislation also could affect travel costs and employee reimbursements by agencies not funded

through annual appropriations, such as the Tennessee Valley Authority (TVA) and the Bonneville Power Administration (BPA).

H.R. 930 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: H.R. 930 would affect spending in three ways. First, it would require that agencies audit travel and transportation bills for accuracy prior to payment. Second, H.R. 930 would require that employees use the government-issued charge card to pay expenses related to official government travel. Third, it would allow agencies to reimburse its employees for all income taxes, as well as any penalties and interest incurred during tax years 1993 and 1994, that arose from a provision within the Energy Policy Act of 1992 that limited deductions for business travel expenses. The legislation would allow agencies to reimburse their employees from funds authorized to pay administrative expenses.

Spending subject to appropriation

Transportation Audits. H.R. 930 would require that agencies audit all travel and transportation bills prior to payment. Under current law, agencies may pay travel and transportation bills prior to any audit of the bill for accuracy. GSA uses private contractors to audit some travel and transportation bills after they are paid in order to identify and collect overcharges. GSA finances both the expenses of these contracts and its own administration expenses from the overcharges it recovers (about \$16 million in fiscal year 1997), including balances from previous years. Any excess collections accrue to the Treasury. Additionally, GSA may audit travel and transportation bills prior to payment or delegate the authority to other agencies. (GSA has delegated the authority to 12 agencies, including DOD, and the Departments of Energy, State, the Interior, and Veterans Affairs.)

Requiring that agencies audit bills prior to payment would reduce discretionary costs. Savings would result if the amount of overcharges avoided by agencies through prepayment audits exceeded both the amount of overcharges recovered under current law and the amount of additional costs incurred in auditing all bills. H.R. 930 would allow the Administrator of GSA to exempt all or part of an agency or a particular mode of transportation based on such factors as cost-effectiveness. The provisions of this section would not take effect until 18 months after enactment, or the middle of fiscal year 2000.

GSA estimates that, historically, audits of payment vouchers have uncovered about \$1 in incorrect billings for every \$100 in audited invoices (that is, 1 percent rate of return). Using the 1 percent historical rate of return cited above, the federal government could save a maximum of \$110 million annually by auditing 100 percent of the approximately \$11 billion in annual payment for transportation of property. CBO estimates that achievable savings would likely fall significantly short of that maximum potential. Assuming that about 25 percent of the \$11 billion represents payments from one federal agency to another and that, together, GSA and agencies with prepayment audit authority already audit about

two-thirds of the remaining amounts obligated, then CBO estimates that requiring that agencies audit bills prior to payment could save less than \$30 million annually. Because we expect that GSA would allow agencies to audit less than 100 percent of all vouchers, CBO estimates that enacting H.R. 930 would save about \$10 million in fiscal year 2000 and between \$20 million and \$25 million annually in fiscal years 2001 through 2003, or between \$75 million and \$80 million over the 2000–2003 period. (Additional savings could result by auditing travel payments made to airlines: CBO, however, has no basis for estimating such potential savings.)

Travel Charge Card. GSA's current contract provides that American Express rebate to the federal government an amount equal to 0.65 percent of the dollar value purchased with the travel card. (The American Express contract is set to expire early in fiscal year 1999.) According to GSA, agencies received approximately \$20 million in rebates during fiscal year 1997. CBO estimates that if employees and agencies used the American Express charge card or a similar one to pay for all agency travel-related expenses, the federal government would be eligible to receive as much as \$40 million in rebates during fiscal year 1999, or about \$20 million more than the government expects to collect under current law. We estimate, however, that the amount rebated under H.R. 930 would be much lower for several reasons.

First, the legislation would allow agencies to exempt any type or class of payments or personnel. Thus, based on information from GSA and the Department of Defense (DOD), we expect that DOD, which incurs about 60 percent of the government's travel-related expenses, would exempt its personnel from the legislation's requirement. In addition, we expect that agencies would exempt expenses that are generally not paid for with the travel card under current law, such as foreign travel, and that agencies whose costs to reconcile accounts are higher with the travel card than with traditional travel agent accounts would also exempt themselves from the legislation's requirement.

Second, under H.R. 930, agencies could use other contractor-issued cards that provide a lower rebate rate.

Third, while agency travel-related expenses are expected to remain relatively flat over the next several years, we expect that agencies will voluntarily increase their use of the government charge card under current law.

As a result, CBO estimates that, assuming continuation of the 0.65 percent rebate in the current American Express contract, enacting H.R. 930 would increase the annual amount rebated to the federal government by less than \$1 million in 1999, allowing GSA time to issue the implementing regulations, and, on average, by about \$3 million a year in subsequent years, for a total of between \$10 million and \$15 million over the 1999–2003 period.

Once agencies have adapted their travel procurement and payment processes to the required use of the charge card, they would reduce administrative costs further by consolidating travel expenditures and streamlining the process for requesting advance travel funds. CBO, however, has no basis for estimating the amount of such potential savings.

Employee Reimbursements. The Energy Policy Act of 1992 (Public Law 102–486) limited an individual’s ability to deduct from income the expense of business-related travel that extends over a period of more than one year. Because some federal agencies were not immediately aware of the change in the tax code, some employees did not have a sufficient amount of income withheld to pay their expected taxes. H.R. 930 would allow agencies to reimburse those employees affected by the change in law, including paying any fines or penalties that arose from the inadequate withholdings. The Federal Bureau of Investigation was granted similar authority to reimburse employees in its 1997 appropriation (Public Law 104–208).

Based on information provided by GSA, CBO estimates that reimbursing employees for taxes, penalties, and interest from the change in the tax code under the Energy Policy Act would cost the federal government about \$5 million in 1999, assuming appropriation of the necessary amounts. Because agencies have since limited most temporary duty travel to less than one year, and because the legislation would permit agencies to pay interest and penalties for the 1993 and 1994 tax years only, CBO estimates that annual reimbursement for future travel would not be significant.

Direct spending

Prepayment Audits. In addition to the effects on discretionary spending mentioned above, H.R. 930 would also increase direct spending by reducing the amount of overcharges that GSA recovers by auditing payments under current law. These recoveries are recorded as offsetting receipts, and GSA outlays for this purpose are direct spending. Over the last five years, GAS’s recovery of overpayments for the federal government has exceeded its expenses to pay for and administer audit contracts by an annual average of about \$4 million.

GSA’s recoveries would decrease because agencies would prevent many of the billing errors now detected by GSA. CBO expects, however, that GSA would reduce the size and scope of its staff responsible for overseeing the audit contracts, which would counterbalance some of the decrease in offsetting receipts. CBO estimates that the net increase in direct spending would amount to less than \$1 million in fiscal year 2000 and about \$3 million each year thereafter.

Agencies Not Funded Through Appropriations. For most agencies, any change in spending would be subject to appropriation action. However, H.R. 930 could affect spending by agencies not funded through annual appropriations, such as TVA or BPA. CBO estimates that such effects would not be significant.

Pay-as-you-go considerations: Section 252 of the Balanced Budget and Emergency Deficit Control Act sets up pay-as-you-go procedures for legislation affecting direct spending or receipts. The net changes in outlays that are subject to pay-as-you-go procedures are shown in the following table. For purposes of enforcing pay-as-you-go procedures, only the effects in the current year, the budget year, and the succeeding four years are counted.

	By fiscal years, in millions of dollars—										
	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Changes in outlays	0	0	1	3	3	3	3	3	3	3	3
Changes in receipts	Not applicable										

Intergovernmental and private-sector impact: H.R. 930 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

Previous CBO estimate: On April 14, 1997, CBO prepared a cost estimate for H.R. 930, as ordered reported by the House Committee on Government Reform and Oversight on March 12, 1997. For the House version of H.R. 930, CBO estimated the legislation would reduce travel costs by approximately \$105 million over a five-year period, or between \$15 million and \$20 million more than estimated for the Senate version. The lower estimate results primarily from two factors, both of which involve the legislation’s mandate that agencies use the government charge card for all travel expenses. First, the Senate version would allow agencies to exempt any type or class of payment or employee from the charge card mandate; we expect that agencies would use this authority. Second, the estimate of the maximum rebate in 1999 is lower than the amount assumed in the earlier estimate.

Estimate prepared by: John R. Righter.

Estimate approved by: Paul N. Van de Water, Assistant Director for Budget Analysis.

VI. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill. The enactment of this legislation will not have a significant regulatory impact.

VII. CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported with amendments, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic and existing law in which no change is proposed is shown in roman):

UNITED STATES CODE

TITLE 12, BANKS AND BANKING

CHAPTER 35—RIGHT TO FINANCIAL PRIVACY

§ 3413. Exceptions

(a) * * *

* * * * *

(g) Nothing in this title shall apply to the disclosure of any financial record or information to a Government authority in conjunction with a Federal contractor-issued travel charge card issued for official Government travel.

* * * * *

UNITED STATES CODE

TITLE 31, MONEY AND FINANCE

Subtitle III—Financial Management

CHAPTER 33—DEPOSITING, KEEPING, AND PAYING MONEY

Subchapter II—Payments

§ 3322. Disbursing officials

(a) * * *

* * * * *

(c) A disbursing official is not liable for an overpayment provided under a United States Government bill of lading or transportation request when the overpayment is caused by the—

(1) use of improper transportation rates or classifications if the Administrator of General Services has determined that verification by a prepayment audit conducted pursuant to section 3726(a) of this title for a particular mode or modes of transportation, or for an agency or subagency, will not adequately protect the interests of the Government; or

(2) failure to deduct the proper amount under—
(A) a land grant law; or
(B) an equalization or other agreement.

* * * * *

UNITED STATES CODE

TITLE 31, MONEY AND FINANCE

Subtitle III—Financial Management

CHAPTER 35—ACCOUNTING AND COLLECTION

Subchapter III—Auditing and Settling Accounts

§ 3528. Responsibilities and relief from liability of certifying officials

(a) A certifying official certifying a voucher is responsible for—
(1) information stated in the certificate, voucher, and supporting records;

(2) the computation of a certified voucher under this section and section 3325 of this title;

(3) the legality of a proposed payment under the appropriation or fund involved; **[and]**

(4) repaying a payment—

(A) illegal, improper, or incorrect because of an inaccurate or misleading certificate;

(B) prohibited by law; or

(C) that does not represent a legal obligation under the appropriation or fund involved~~[".];~~ and

(5) verifying transportation rates, freight classifications, and other information provided on a Government bill of lading or transportation request, unless the Administrator of General Services has determined that verification by a prepayment audit conducted pursuant to section 3726(a) of this title for a particular mode or modes of transportation, or for an agency or subagency, will not adequately protect the interests of the Government.

* * * * *

(c) The Comptroller General shall relieve a certifying official from liability for an overpayment—

(1) to a common carrier under section 3726 of this title when the Comptroller General decides the overpayment occurred only because the administrative audit before payment did not verify transportation rates, freight classifications, or land-grant deductions *and the Administrator of General Services has determined that verification by a prepayment audit conducted pursuant to section 3726(a) of this title for a particular mode or modes of transportation, or for an agency or subagency, will not adequately protect the interests of the Government;* or

(2) provided under a Government bill of lading or transportation request when the overpayment was the result of using improper transportation rates or classifications or the failure to deduct the proper amount under a land-grant law or agreement *and the Administrator of General Services has determined that verification by a prepayment audit conducted pursuant to section 3726(a) of this title for a particular mode or modes of transportation, or for an agency or subagency, will not adequately protect the interests of the Government.*

* * * * *

UNITED STATES CODE
TITLE 31, MONEY AND FINANCE
Subtitle III—Financial Management
CHAPTER 37—CLAIMS
Subchapter III—Claims Against the United States Government

§ 3726. Payment for transportation

[(a) A carrier or freight forwarder presenting a bill for transporting an individual or property for the United States Government may be paid before the Administrator of General Services conducts an audit, in accordance with regulations that the Administrator shall prescribe. A claim under this section shall be allowed only if it is received by the Administrator not later than 3 years (excluding time of war) after the later of the following dates:

- [(1) accrual of the claim;
- [(2) payment for the transportation is made;
- [(3) refund for an overpayment for the transportation is made; or
- [(4) a deduction under subsection (b) of this section is made.]

(a)(1) Each agency that receives a bill from a carrier or freight forwarder for transporting an individual or property for the United States Government shall verify its correctness (to include transportation rates, freight classifications, or proper combinations thereof), using prepayment audit, prior to payment in accordance with the requirements of this section and regulations prescribed by the Administrator of General Services.

(2) The Administrator of General Services may exempt bills, a particular mode or modes of transportation, or an agency or sub-agency from a prepayment audit and verification and in lieu thereof require a postpayment audit, based on cost effectiveness, public interest, or other factors the Administrator considers appropriate.

(3) Expenses for prepayment audits shall be funded by the agency's appropriations used for the transportation services.

(4) The audit authority provided to agencies by this section is subject to oversight by the Administrator.

(b) The Administrator may conduct pre- or postpayment audits of transportation bills of any Federal agency. The number and types of bills audited shall be based on the Administrator's judgment.

(c)(1) The Administrator shall adjudicate transportation claims which cannot be resolved by the agency procuring the transportation services, or the carrier or freight-forwarder presenting the bill.

(2) A claim under this section shall be allowed only if it is received by the Administrator not later than 3 years (excluding time of war) after the later of the following dates:

- (A) The date of accrual of the claim.*
- (B) The date payment for the transportation is made.*

(C) *The date a refund for an overpayment for the transportation is made.*

(D) *The date a deduction under subsection (d) of this section is made.*

[(b)](d) Not later than 3 years (excluding time of war) after the time a bill is paid, the Government may deduct from an amount subsequently due a carrier or freight forwarder an amount paid on the bill that was greater than the rate allowed under—

(1) a lawful tariff under title 49 or on file with the Secretary of Transportation with respect to foreign air transportation (as defined in section 40102(a) of title 49), the Federal Maritime Commission, or a State transportation authority;

(2) a lawfully quoted rate subject to the jurisdiction of the Surface Transportation Board; or

(3) sections 10721, 13712, and 15504 of title 49 or an equivalent arrangement or an exemption.

[(c)](e) * * *

* * * * *

[(d)](f) At least annually, and as determined by the Administrator, after making adequate provision for expense of refunds to carriers, transportation audit postpayment contracts, contract administration, and other expenses authorized in [subsection (c)] subsection (e), overpayments collected by the General Services Administration shall be transferred to miscellaneous receipts of the Treasury. A report of receipts, disbursements, and transfers (to miscellaneous receipts) pursuant to this section shall be made annually in connection with the budget estimates to the Director of the Office of Management and Budget and to the Congress. *This reporting requirement expires December 31, 1998.*

[(e)](g) * * *

* * * * *

[(f)](h) * * *

* * * * *

[(g)](i)(1) A carrier or freight forwarder may request the Comptroller General to review the action of the Administrator if the request is received not later than 6 months (excluding time of war) after the Administrator acts or within the time stated in [subsection (a)] subsection (c) of this section, whichever is later.

(2) This section does not prevent the Comptroller General from conducting an audit under chapter 35 of this title.

(j) *This Administrator of General Services may provide transportation audit and related technical assistance services, on a reimbursable basis, to any other agency. Such reimbursements may be credited to the appropriate revolving fund or appropriation from which the expenses were incurred.*

* * * * *

UNITED STATES CODE
TITLE 5, GOVERNMENT ORGANIZATION
AND EMPLOYEES

CHAPTER 57

Subchapter I—Travel and Subsistence Expenses; Mileage Allowances

Sec.

- 5701. Definitions.
- 5702. Per diem; employees traveling on official business.
- 5703. Per diem, travel, and transportation expenses; experts and consultants; individuals serving without pay.
- 5704. Mileage and related allowances.
- 5705. Advancements and deductions.
- 5706. Allowable travel expenses.
- 5706a. Subsistence and travel expenses for threatened law enforcement personnel.
- 5706b. Interview expenses.
- 5706c. *Reimbursement for taxes incurred on money received for travel expenses.*
- 5707. Regulations and reports.
- 5707a. Adherence to fire safety guidelines in establishing rates and discounts for lodging expenses.
- 5708. Effect on other statutes.
- 5709. Air evacuation patients: furnished subsistence.
- 5710. *Authority for travel expenses test programs.*

Subchapter II—Travel and Transportation Expenses; New Appointees, Student Trainees, and Transferred Employees

- 5721. Definitions.
- 5722. * * *
- * * * * *
- 5738. Regulations.
- 5739. *Authority for relocation expenses test programs.*
- * * * * *

UNITED STATES CODE
TITLE 5, GOVERNMENT ORGANIZATION
AND EMPLOYEES

PART III—EMPLOYEES

Subpart D—Pay and Allowances

CHAPTER 57—TRAVEL, TRANSPORTATION, AND
SUBSISTENCE

Subchapter I—Travel and Subsistence Expenses; Mileage
Allowances

§ 5706c. Reimbursement for taxes incurred on money received
for travel expenses

(a) Under regulations prescribed pursuant to section 5707 of this title, the head of an agency or department, or his or her designee, may use appropriations or other funds available to the agency for administrative expenses, for the reimbursement of Federal, State, and local income taxes incurred by an employee of the agency or by an employee and such employee's spouse (if filing jointly), for any travel or transportation reimbursement made to an employee for which reimbursement or an allowance is provided.

(b) Reimbursements under this section shall include an amount equal to all income taxes for which the employee and spouse, as the case may be, would be liable due to the reimbursement for the taxes referred to in subsection (a). In addition, reimbursements under this section shall include penalties and interest, for the tax years 1993 and 1994 only, as a result of agencies failing to withhold the appropriate amounts for tax liabilities of employees affected by the change in the deductibility of travel expenses made by Public Law 102-486.

* * * * *

§ 5710. Authority for travel expenses test programs

(a)(1) Notwithstanding any other provision of this subchapter, under a test program which the Administrator of General Services determines to be in the interest of the Government and approves, an agency may pay through the proper disbursing official for a period not to exceed 24 months any necessary travel expenses in lieu of any payment otherwise authorized or required under this subchapter. An agency shall include in any request to the Administrator for approval of such a test program an analysis of the expected costs and benefits and a set of criteria for evaluating the effectiveness of the program.

(2) Any test program conducted under this section shall be designed to enhance cost savings or other efficiencies that accrue to the Government.

(3) Nothing in this section is intended to limit the authority of any agency to conduct test programs.

(b) *The Administrator shall transmit a copy of any test program approved by the Administrator under this section to the appropriate committees of the Congress at least 30 days before the effective date of the program.*

(c) *An agency authorized to conduct a test program under subsection (a) shall provide to the Administrator and the appropriate committees of the Congress a report on the results of the program no later than 3 months after completion of the program.*

(d) *No more than 10 test programs under this section may be conducted simultaneously.*

(e) *The authority to conduct test programs under this section shall expire 7 years after the date of enactment of the Travel and Transportation Reform Act of 1998.*

* * * * *

UNITED STATES CODE

TITLE 5, GOVERNMENT ORGANIZATION AND EMPLOYEES

PART III—EMPLOYEES

Subpart D—Pay and Allowances

CHAPTER 57—TRAVEL, TRANSPORTATION, AND SUBSISTENCE

Subchapter II—Travel and Transportation Expenses; New Appointees, Student Trainees, and Transferred Employees

§ 5739. Authority for relocation expenses test programs

(a)(1) *Notwithstanding any other provision of this subchapter, under a test program which the Administrator of General Services determines to be in the interest of the Government and approves, an agency may pay through the proper disbursing official for a period not to exceed 24 months any necessary relocation expenses in lieu of any payment otherwise authorized or required under this subchapter. An agency shall include in any request to the Administrator for approval of such a test program an analysis of the expected costs and benefits and a set of criteria for evaluating the effectiveness of the program.*

(2) *Any test program conducted under this section shall be designed to enhance cost savings or other efficiencies that accrue to the Government.*

(3) *Nothing in this section is intended to limit the authority of any agency to conduct test programs.*

(b) *The Administrator shall transmit a copy of any test program approved by the Administrator under this section to the appropriate committees of the Congress at least 30 days before the effective date of the program.*

(c) *An agency authorized to conduct a test program under subsection (a) shall provide to the Administrator and the appropriate*

committees of the Congress a report on the results of the program no later than 3 months after completion of the program.

(d) No more than 10 test programs under this section may be conducted simultaneously.

(e) The authority to conduct test programs under this section shall expire 7 years after the date of enactment of the Travel and Transportation Reform Act of 1998.

* * * * *

UNITED STATES CODE

TITLE 5, GOVERNMENT ORGANIZATION AND EMPLOYEES

PART III—EMPLOYEES

Subpart D—Pay and Allowances

CHAPTER 57—TRAVEL, TRANSPORTATION, AND SUBSISTENCE

Subchapter II—Travel and Transportation Expenses; New Appointees, Student Trainees, and Transferred Employees

§ 5721. Definitions

For the purpose of this subchapter—

(1) “agency” means—

* * * * *

(2) “employee” means an individual employed in or under an agency;

(3) “continental United States” means the several States and the District of Columbia, but does not include Alaska or Hawaii;

(4) “Government” means the government of the United States and the government of the District of Columbia; **[and]**

(5) “appropriation” includes funds made available by statute under section 9104 of title 31**].**;

(6) “United States” means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the territories and possessions of the United States, and the areas and installations in the Republic of Panama that are made available to the United States pursuant to the Panama Canal Treaty of 1977 and related agreements (as described in section 3(a) of the Panama Canal Act of 1979); and

(7) “Foreign Service of the United States” means the Foreign Service as constituted under the Foreign Service Act of 1980.

UNITED STATES CODE
TITLE 5, GOVERNMENT ORGANIZATION
AND EMPLOYEES

PART III—EMPLOYEES

Subpart D—Pay and Allowances

CHAPTER 57—TRAVEL, TRANSPORTATION, AND
SUBSISTENCE

Subchapter II—Travel and Transportation Expenses; New
Appointees, Student Trainees, and Transferred Employees

§ 5722. Travel and transportation expenses of new ap-
pointees; posts of duty outside the continental
United States

(a) Under regulations as prescribed under section 5738 of this title and subject to subsections (b) and (c) of this section, an agency may pay from its appropriations—

(1) travel expenses of a new appointee and transportation expenses of his immediate family and his household goods and personal effects from the place of actual residence at the time of appointment to the place of employment outside the continental United States;

(2) these expenses on the return of an employee from his post of duty outside the continental United States to the place of his actual residence at the time of assignment to duty [outside the United States];

(3) the expenses of transporting a privately owned motor vehicle as authorized under section 5727(c) of this title.

(b) An agency may pay expenses under subsection (a)(1) of this section only after the individual selected for appointment agrees in writing to remain in the Government service for a minimum period of—

(1) one school year as determined under chapter 25 of title 20, if selected for appointment to a teaching position, except as a substitute, in the Department of Defense under that chapter; or

(2) 12 months after his appointment, if selected for appointment to any other position; unless separated for reasons beyond his control which are acceptable to the agency concerned. If the individual violates the agreement, the money spent by the [United States] *Government* for the expenses is recoverable from the individual as a debt due the [United States] *Government*.

* * * * *

UNITED STATES CODE
TITLE 5, GOVERNMENT ORGANIZATION
AND EMPLOYEES

PART III—EMPLOYEES

Subpart D—Pay and Allowances

CHAPTER 57—TRAVEL, TRANSPORTATION, AND
SUBSISTENCE

Subchapter II—Travel and Transportation Expenses; New
Appointees, Student Trainees, and Transferred Employees

§ 5723. Travel and transportation expenses of new ap-
pointees and student trainees

(a) * * *

* * * * *

(b) An agency may pay travel and transportation expenses under subsection (a) of this section only after the individual selected or assigned agrees in writing to remain in the Government service for 12 months after his appointment or assignment, unless separated for reasons beyond his control which are acceptable to the agency concerned. If the individual violates the agreement, the money spent by the [United States] *Government* for the expenses is recoverable from the individual as a debt due the [United States] *Government*.

* * * * *

UNITED STATES CODE
TITLE 5, GOVERNMENT ORGANIZATION
AND EMPLOYEES

PART III—EMPLOYEES

Subpart D—Pay and Allowances

CHAPTER 57—TRAVEL, TRANSPORTATION, AND
SUBSISTENCE

Subchapter II—Travel and Transportation Expenses; New
Appointees, Student Trainees, and Transferred Employees

§ 5724. Travel and transportation expenses of employees
transferred; advancement of funds; reimbursement
on commuted basis

(a) Under such regulations as the President may prescribe and when the head of the agency concerned or his designee authorizes or approves, the agency shall pay from Government funds—

(1) * * *

* * * * *

(3) upon the separation (or death in service) of a career appointee, as defined in section 3132(a)(4) of this title, the travel expenses of that individual (if applicable), the transportation expenses of the immediate family of such individual, and the expenses of moving (including transporting, packing, crating, temporarily storing, draying, and unpacking) the household goods of such individual and personal effects not in excess of eighteen thousand pounds net weight, to the place where the individual will reside (or, in the case of a career appointee who dies in service or who dies after separating but before the travel, transportation, and moving is completed, to the place where the family will reside) within the United States, [its territories or possessions, the Commonwealth of Puerto Rico, or the areas and installations in the Republic of Panama made available to the United States pursuant to the Panama Canal Treaty of 1977 and related agreements, as described in section 3(a) of the Panama Canal Act of 1979], if such individual—

* * * * *

(i) An agency may pay travel and transportation expenses (including storage of household goods and personal effects) and other relocation allowances under this section and sections 5724a, 5724b, and 5726(c) of this title when an employee is transferred within the continental United States only after the employee agrees in writing to remain in the Government service for 12 months after his transfer, unless separated for reasons beyond his control that are acceptable to the agency concerned. If the employee violates the agreement, the money spent by the [United States] Government for the

expenses and allowances is recoverable from the employee as a debt due the [United States] *Government*.

* * * * *

UNITED STATES CODE

TITLE 5, GOVERNMENT ORGANIZATION AND EMPLOYEES

PART III—EMPLOYEES

Subpart D—Pay and Allowances

CHAPTER 57—TRAVEL, TRANSPORTATION, AND SUBSISTENCE

Subchapter II—Travel and Transportation Expenses; New Appointees, Student Trainees, and Transferred Employees

§ 5724a. Relocation expenses of employees transferred or re- employed

(a) [An agency shall pay] *Under regulations prescribed under section 5738, an agency shall pay* to or on behalf of an employee who transfers in the interest of the Government, a per diem allowance or the actual subsistence expenses, or a combination thereof, of the immediate family of the employee for en route travel of the immediate family between the employee's old and new official stations.

(b)(1) [An agency may pay] *Under regulations prescribed under section 5738, an agency may pay* to or on behalf of an employee who transfers in the interest of the Government between official stations located within the United States—

(A) the expenses of transportation of the employee and the employee's spouse for travel to seek permanent residence quarters at a new official station; and

(B) either—

(i) a per diem allowance or the actual subsistence expenses (or a combination of both); or

[(ii) an amount for subsistence expenses.] (ii) *an amount for subsistence expenses, that may not exceed a maximum amount determined by the Administrator of General Services.*

* * * * *

(c)(1) [An agency may pay] *Under regulations prescribed under section 5738, an agency may pay* to or on behalf of an employee who transfers in the interest of the Government—

(A) actual subsistence expenses of the employee and the employee's immediate family for a period of up to 60 days while the employee or family is occupying temporary quarters when the new official station is located within the United States; or

(B) **an amount for subsistence expenses** *an amount for subsistence expenses, that may not exceed a maximum amount determined by the Administrator of General Services, instead of the actual subsistence expenses authorized in subparagraph (A) of this paragraph.*

* * * * *

(d)(1) **An agency shall pay** *Under regulations prescribed under section 5738, an agency shall pay to or on behalf of an employee who transfers in the interest of the Government, expenses of the sale of the residence (or the settlement of an unexpired lease) of the employee at the old official station and purchase of a residence at the new official station that are required to be paid by the employee, when the old and new official stations are located within the United States.*

(2) **An agency shall pay** *Under regulations prescribed under section 5738, an agency shall pay to or on behalf of an employee who transfers in the interest of the Government from a post of duty located outside the United States to an official station within the United States (other than the official station within the United States from which the employee was transferred when assigned to the foreign tour of duty)—*

(A) expenses required to be paid by the employee **for the sale** *of the sale* of the residence (or the settlement of an unexpired lease) of the employee at the old official station from which the employee was transferred when the employee was assigned to the post of duty located outside the United States; and

(B) expenses required to be paid by the employee **for the purchase** *of the purchase* of a residence at the new official station within the United States.

* * * * *

(8) **An agency may pay** *Under regulations prescribed under section 5738, an agency may pay to or on behalf of an employee who transfers in the interest of the Government expenses of property management services, instead of expenses under **paragraph (2) or (3)** paragraph (1) or (2) of this subsection for sale of the employee's residence, when the agency determines that such transfer is advantageous and cost-effective for the Government.*

* * * * *

(e) **An agency may pay** *Under regulations prescribed under section 5738, an agency may pay to or on behalf of an employee who transfers in the interest of the Government, the expenses of property management services when the employee transfers to a post of duty outside the United States. Such payment shall terminate upon return of the employee to an official station within the United States.*

* * * * *

(f)(1) **Subject to paragraph (2)** *Under regulations prescribed under section 5738 and subject to paragraph (2), an employee who is reimbursed under subsections (a) through (e) of this section or*

section 5724(a) of this title is entitled to an amount for miscellaneous expenses—

* * * * *

[(i) Subsections (a), (b), and (c) shall be implemented under regulations issued under section 5738 of this title.]

* * * * *

[(j) For purposes of subsections (c), (d), and (e), the term “United States” includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the territories and possessions of the United States, and the areas and installations in the Republic of Panama that are made available to the United States pursuant to the Panama Canal Treaty of 1977 and related agreements (as described in section 3(a) of the Panama Canal Act of 1979 (22 U.S.C. 3602(a))).]

* * * * *

UNITED STATES CODE

TITLE 5, GOVERNMENT ORGANIZATION AND EMPLOYEES

PART III—EMPLOYEES

Subpart D—Pay and Allowances

CHAPTER 57—TRAVEL, TRANSPORTATION, AND SUBSISTENCE

Subchapter II—Travel and Transportation Expenses; New Appointees, Student Trainees, and Transferred Employees

§ 5725. Transportation expenses; employees assigned to danger areas

(a) When an employee of the [United States] *Government* is on duty, or is transferred or assigned to duty, at a place designated by the head of the agency concerned as inside a zone—

- (1) from which his immediate family should be evacuated; or
- (2) to which they are not permitted to accompany him;

* * * * *

UNITED STATES CODE
TITLE 5, GOVERNMENT ORGANIZATION
AND EMPLOYEES

PART III—EMPLOYEES

Subpart D—Pay and Allowances

CHAPTER 57—TRAVEL, TRANSPORTATION, AND
SUBSISTENCE

Subchapter II—Travel and Transportation Expenses; New
Appointees, Student Trainees, and Transferred Employees

§ 5727. Transportation of motor vehicles

(a) * * *

* * * * *

(d) An employee may transport only one motor vehicle under subsection (b) of this section during a 4-year period, except when the head of the agency concerned determines that replacement of the motor vehicle during the period is necessary for reasons beyond the control of the employee and is in the interest of the Government, and authorizes in advance the transportation under subsection (b) of this section of one additional privately owned motor vehicle as a replacement. When an employee has remained in continuous service outside the [United States] *continental United States* during the 4-year period after the date of transportation under subsection (b) of this section of his motor vehicle, the head of the agency concerned may authorize transportation under subsection (b) of this section of a replacement for that motor vehicle.

* * * * *

UNITED STATES CODE
TITLE 5, GOVERNMENT ORGANIZATION
AND EMPLOYEES

PART III—EMPLOYEES

Subpart D—Pay and Allowances

CHAPTER 57—TRAVEL, TRANSPORTATION, AND
SUBSISTENCE

Subchapter II—Travel and Transportation Expenses; New
Appointees, Student Trainees, and Transferred Employees

§ 5728. Travel and transportation expenses; vacation leave

(a) * * *

* * * * *

(b) Under regulations prescribed under section 5738 of this title, an agency shall pay from its appropriations the expenses of round-trip travel of [an employee of the United States] *an employee of the Government* appointed by the President, by and with the advice and consent of the Senate, for a term fixed by statute, and of transportation of his immediate family, but not household goods, from his post of duty outside the continental United States, Alaska, and Hawaii to the place of his actual residence at the time of appointment to the post of duty, after he has satisfactorily completed each 2 years of service outside the continental United States, Alaska, and Hawaii and is returning to his actual place of residence to take leave before serving at least 2 more years of duty outside the continental United States, Alaska, and Hawaii.

* * * * *

UNITED STATES CODE
TITLE 5, GOVERNMENT ORGANIZATION
AND EMPLOYEES

PART III—EMPLOYEES

Subpart D—Pay and Allowances

CHAPTER 57—TRAVEL, TRANSPORTATION, AND
SUBSISTENCE

Subchapter II—Travel and Transportation Expenses; New
Appointees, Student Trainees, and Transferred Employees

§ 5729. Transportation expenses; prior return of family

(a) Under regulations prescribed under section 5738 of this title, an agency shall pay from its appropriations, not more than once before the return to the United States [or its territories or possessions] of an employee whose post of duty is outside the continental United States, the expenses of transporting his immediate family and of shipping his household goods and personal effects from his post of duty to his actual place of residence when—

(1) he has acquired eligibility for that transportation; or

(2) the public interest requires the return of the immediate family for compelling personal reasons of a humanitarian or compassionate nature, such as may involve physical or mental health, death of a member of the immediate family, or obligation imposed by authority or circumstances over which the individual has no control.

(b) Under regulations prescribed under section 5738 of this title, an agency shall reimburse from its appropriations an employee whose post of duty is outside the continental United States for the proper transportation expenses of returning his immediate family and his household goods and personal effects to the United States [or its territories or possessions], when—

(1) their return was made at the expense of the employee before his return and for other than reasons of public interest; and

(2) he acquires eligibility for those transportation expenses.

(c) This section does not apply to appropriations for the Foreign Service of the United States.

* * * * *

UNITED STATES CODE
TITLE 5, GOVERNMENT ORGANIZATION
AND EMPLOYEES

PART III—EMPLOYEES

Subpart D—Pay and Allowances

CHAPTER 57—TRAVEL, TRANSPORTATION, AND
SUBSISTENCE

Subchapter II—Travel and Transportation Expenses; New
Appointees, Student Trainees, and Transferred Employees

§ 5731. Expenses limited to lowest first-class rate

(a) * * *

* * * * *

(b) Instead of the maximum fixed by subsection (a) of this section, the allowance to an employee of the [United States] *Government* for actual expenses for transportation on an inter-island steamship in Hawaii may not exceed the rate for accommodations on the steamship that is equivalent as nearly as possible to the rate for the lowest first-class accommodations on trans-pacific steamships.

* * * * *

UNITED STATES CODE
TITLE 5, GOVERNMENT ORGANIZATION
AND EMPLOYEES

PART III—EMPLOYEES

Subpart D—Pay and Allowances

CHAPTER 57—TRAVEL, TRANSPORTATION, AND
SUBSISTENCE

Subchapter II—Travel and Transportation Expenses; New
Appointees, Student Trainees, and Transferred Employees

§ 5732. General average contribution; payment or reimbursement

Under such regulations as the President may prescribe, appropriations chargeable for the transportation of baggage and household goods and personal effects of employees of the [United States] *Government*, volunteers as defined by section 8142(a) of this title, and members of the uniformed services are available for the payment or reimbursement of general average contributions required.

Appropriations are not available for the payment or reimbursement
of general average contributions—

○