

107TH CONGRESS
2D SESSION

H. R. 3779

To amend title 31, United States Code, to allow Federal agencies (including the government of the District of Columbia) to use passenger carriers, owned or leased by the Government, to provide transportation to employees between their place of employment and mass transit facilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2002

Mrs. MORELLA (for herself, Mr. TOM DAVIS of Virginia, and Ms. NORTON) introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To amend title 31, United States Code, to allow Federal agencies (including the government of the District of Columbia) to use passenger carriers, owned or leased by the Government, to provide transportation to employees between their place of employment and mass transit facilities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AUTHORITY TO PROVIDE TRANSPORTATION**2 **BETWEEN PLACE OF EMPLOYMENT AND**3 **MASS TRANSIT FACILITIES.**

4 (a) IN GENERAL.—Section 1344 of title 31, United

5 States Code, is amended—

6 (1) by redesignating subsections (g) and (h) as

7 subsections (h) and (i), respectively; and

8 (2) by inserting after subsection (f) the fol-

9 lowing:

10 “(g)(1) A passenger carrier may be used to transport
11 an officer or employee of a Government agency between
12 the officer’s or employee’s place of employment and a
13 mass transit facility (whether or not publicly owned) in
14 accordance with succeeding provisions of this subsection.15 “(2) A Government agency that provides transpor-
16 tation services under this subsection shall absorb the costs
17 of such services using any funds available to such agency,
18 whether by appropriation or otherwise.19 “(3) In carrying out this subsection, a Government
20 agency shall—21 “(A) to the maximum extent practicable, use al-
22 ternative fuel vehicles to provide transportation serv-
23 ices;24 “(B) to the extent consistent with the purposes
25 of this subsection, provide transportation services in

1 a manner that does not result in additional gross in-
2 come for Federal income tax purposes; and

3 “(C) coordinate with other Government agen-
4 cies to share, and otherwise avoid duplication of,
5 transportation services provided under this sub-
6 section.

7 “(4) For purposes of any determination under chap-
8 ter 81 of title 5, an individual shall not be considered to
9 be in the ‘performance of duty’ by virtue of the fact that
10 such individual is receiving transportation services under
11 this subsection.

12 “(5)(A) The Administrator of General Services, after
13 consultation with the National Capital Planning Commis-
14 sion and other appropriate agencies, shall prescribe any
15 regulations necessary to carry out this subsection.

16 “(B) Transportation services under this subsection
17 shall be subject neither to the last sentence of subsection
18 (d)(3) nor to any regulations under the last sentence of
19 subsection (e)(1).

20 “(6) As used in this subsection—

21 “(A) the term ‘Government agency’ means a
22 Federal agency and the government of the District
23 of Columbia; and

24 “(B) the term ‘passenger carrier’ means a pas-
25 senger motor vehicle, aircraft, boat, ship, or other

1 similar means of transportation that is owned or
2 leased by the United States Government or the gov-
3 ernment of the District of Columbia.”.

4 (b) FUNDS FOR MAINTENANCE, REPAIR, ETC.—Sub-
5 section (a) of section 1344 of title 31, United States Code,
6 is amended by adding at the end the following:

7 “(3) For purposes of paragraph (1)—

8 “(A) the transportation of an individual be-
9 tween such individual’s place of employment and a
10 mass transit facility pursuant to subsection (g) is
11 transportation for an official purpose; and

12 “(B) the term ‘Federal agency’, as used in such
13 paragraph, shall be considered to mean a Govern-
14 ment agency (as defined by subsection (g)), to the
15 extent that the passenger carriers involved are used
16 in the provision of transportation services under
17 such subsection.”.

18 (c) COORDINATION.—The authority to provide trans-
19 portation services under section 1344(g) of title 31,
20 United States Code (as amended by subsection (a)) shall
21 be in addition to any authority otherwise available to the
22 agency involved.

