

Public Law 99-550
99th Congress

An Act

To restrict the use of government vehicles for transportation of officers and employees of the Federal Government between their residences and places of employment, and for other purposes.

Oct. 27, 1986
[H.R. 3614]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1344 of title 31, United States Code, is amended to read as follows:

“§ 1344. Passenger carrier use

“(a)(1) Funds available to a Federal agency, by appropriation or otherwise, may be expended by the Federal agency for the maintenance, operation, or repair of any passenger carrier only to the extent that such carrier is used to provide transportation for official purposes. Notwithstanding any other provision of law, transporting any individual other than the individuals listed in subsections (b) and (c) of this section between such individual’s residence and such individual’s place of employment is not transportation for an official purpose.

“(2) For purposes of paragraph (1), transportation between the residence of an officer or employee and various locations that is—

“(A) required for the performance of field work, in accordance with regulations prescribed pursuant to subsection (e) of this section, or

“(B) essential for the safe and efficient performance of intelligence, counterintelligence, protective services, or criminal law enforcement duties,

is transportation for an official purpose, when approved in writing by the head of the Federal agency.

“(b) A passenger carrier may be used to transport between residence and place of employment the following officers and employees of Federal agencies:

“(1)(A) the President and the Vice President;

“(B) no more than 6 officers or employees in the Executive Office of the President, as designated by the President; and

“(C) no more than 10 additional officers or employees of Federal agencies, as designated by the President;

“(2)(A) officers compensated at Level I of the Executive Schedule pursuant to section 5312 of title 5; and

“(B) a single principal deputy to an officer described in subparagraph (A) of this paragraph, when a determination is made by such officer that such transportation is appropriate;

“(3) principal diplomatic and consular officials abroad, and the United States Ambassador to the United Nations;

“(4) the Deputy Secretary of Defense and Under Secretaries of Defense, the Secretary of the Air Force, the Secretary of the Army, the Secretary of the Navy, the Joint Chiefs of Staff, and the Commandant of the Coast Guard;

“(5) the Director of the Central Intelligence Agency and the Director of the Federal Bureau of Investigation;

“(6) the Chairman of the Board of Governors of the Federal Reserve System;

“(7) the Comptroller General of the United States and the Postmaster General of the United States; and

“(8) an officer or employee with regard to whom the head of a Federal agency makes a determination, in accordance with subsection (d) of this section and with regulations prescribed pursuant to paragraph (1) of subsection (e), that highly unusual circumstances present a clear and present danger, that an emergency exists, or that other compelling operational considerations make such transportation essential to the conduct of official business.

Except as provided in paragraph (2) of subsection (d), any authorization made pursuant to paragraph (8) of this subsection to permit the use of a passenger carrier to transport an officer or employee between residence and place of employment shall be effective for not more than 15 calendar days.

“(c) A passenger carrier may be used to transport between residence and place of employment any person for whom protection is specifically authorized pursuant to section 3056(a) of title 18 or for whom transportation is authorized pursuant to section 28 of the State Department Basic Authorities Act of 1956 or section 8(a)(1) of the Central Intelligence Agency Act of 1949.

“(d)(1) Any determination made under paragraph (8) of subsection (b) shall be in writing and shall include the name and title of the officer or employee affected, the reason for such determination, and the duration of the authorization for such officer or employee to use a passenger carrier for transportation between residence and place of employment.

“(2) If a clear and present danger, an emergency, or a compelling operational consideration described in paragraph (8) of subsection (b) extends or may extend for a period in excess of 15 calendar days, the head of the Federal agency shall determine whether an authorization under such paragraph shall be extended in excess of 15 calendar days for a period of not more than 90 additional calendar days. Determinations made under this paragraph may be reviewed by the head of such agency at the end of each such period, and, where appropriate, a subsequent determination may be made whether such danger, emergency, or consideration continues to exist and whether an additional extension, not to exceed 90 calendar days, may be authorized. Determinations made under this paragraph shall be in accordance with regulations prescribed pursuant to paragraph (1) of subsection (e).

“(3) The authority to make designations under subsection (b)(1) of this section and to make determinations pursuant to subsections (a)(2), (b)(2)(B), and (b)(8) of this section and pursuant to paragraph (2) of this subsection may not be delegated, except that, with respect to the Executive Office of the President, the President may delegate the authority of the President under subsection (b)(8) of this section to an officer in the Executive Office of the President. No designation or determination under this section may be made solely or principally for the comfort or convenience of the officer or employee.

“(4) Notification of each designation or determination made under paragraphs (1), (2)(B), and (8) of subsection (b) and under paragraph (2) of this subsection, including the name and title of the officer or

employee affected, the reason for any determination under paragraph (8) of subsection (b), and the expected duration of any authorization under such paragraph, shall be transmitted promptly to the Committee on Government Operations of the House of Representatives and the Committee on Governmental Affairs of the Senate.

“(e)(1) Not later than March 15, 1987, the Administrator of General Services, after consultation with the Comptroller General, the Director of the Office of Management and Budget, and the Director of the Administrative Office of the United States Courts, shall promulgate regulations governing the heads of all Federal agencies in making the determinations authorized by subsections (a)(2)(A), (b)(8), and (d)(2) of this section. Such regulations shall specify that the comfort and convenience of an officer or employee is not sufficient justification for authorizations of transportation under this section.

Regulations.

“(2) In promulgating regulations under paragraph (1) of this subsection, the Administrator of General Services shall provide criteria defining the term ‘field work’ for purposes of subsection (a)(2)(A) of this section. Such criteria shall ensure that transportation between an employee’s residence and the location of the field work will be authorized only to the extent that such transportation will substantially increase the efficiency and economy of the Government.

“(f) Each Federal agency shall maintain logs or other records necessary to establish the official purpose for Government transportation provided between an individual’s residence and such individual’s place of employment pursuant to this section.

Records.

“(g) As used in this section—

“(1) the term ‘passenger carrier’ means a passenger motor vehicle, aircraft, boat, ship, or other similar means of transportation that is owned or leased by the United States Government; and

“(2) the term ‘Federal agency’ means—

“(A) a department (as such term is defined in section 18 of the Act of August 2, 1946 (41 U.S.C. 5a));

“(B) an Executive department (as such term is defined in section 101 of title 5);

“(C) a military department (as such term is defined in section 102 of title 5);

“(D) a Government corporation (as such term is defined in section 103(1) of title 5);

“(E) a Government controlled corporation (as such term is defined in section 103(2) of title 5);

“(F) a mixed-ownership Government corporation (as such term is defined in section 9101(2) of this title);

“(G) any establishment in the executive branch of the Government (including the Executive Office of the President);

“(H) any independent regulatory agency (including an independent regulatory agency specified in section 3502(10) of title 44);

“(I) the Smithsonian Institution; and

“(J) any nonappropriated fund instrumentality of the United States,

except that such term does not include the government of the District of Columbia.

District of Columbia.

“(h) Notwithstanding section 410(a) of title 39, this section applies to the United States Postal Service.”

(b) The table of sections for chapter 13 of such title is amended by striking out the item relating to section 1844 and inserting in lieu thereof the following:

“1844. Passenger carrier use.”

SEC. 2. (a) Title 10, United States Code, is amended—

(1) by striking out section 2637 thereof; and

(2) in the table of contents of chapter 157 thereof, by striking out the item pertaining to section 2637.

(b) Section 636(a)(5) of the Foreign Assistance Act of 1961 (22 U.S.C. 2396(a)(5)) is amended by striking out “(without regard to the limitations contained in section 5 of Public Law 63-127, as amended (31 U.S.C. 638a(c)(2)), and section 201 of Public Law 85-468 (31 U.S.C. 638c))”.

(c) Section 48 of the Arms Control and Disarmament Act (22 U.S.C. 2588) is amended by striking out “(without regard to the limitations contained in section 78(c) of title 5 of the United States Code”.

(d) Section 11 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2678) is repealed.

(e) Section 660 of title 14, United States Code, is amended by striking out subsection (e).

SEC. 3. Within one year after the date of enactment of this Act, the Director of the Administrative Office of the United States Courts shall prepare, in consultation with the Marshal of the Supreme Court of the United States, the Clerk of the United States Court of Military Appeals and the Court Administrator of the United States Tax Court, and transmit to the Congress, appropriate recommendations concerning the transportation needs of the judicial branch and of courts established pursuant to Article I of the Constitution.

Approved October 27, 1986.

28 USC 456 note.

LEGISLATIVE HISTORY—H.R. 3614:

HOUSE REPORTS: No. 99-451 (Comm. on Government Operations).

CONGRESSIONAL RECORD, Vol. 132 (1986):

Mar. 4, considered and passed House.

Oct. 10, considered and passed Senate, amended.

Oct. 15, House concurred in Senate amendment.

Public Law 99-551
99th Congress

An Act

To extend and improve the Domestic Volunteer Service Act of 1973.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Domestic Volunteer Service Act Amendments of 1986".

SEC. 2. VOLUNTEERISM POLICY.

(a) **VOLUNTEERISM POLICY.**—The Domestic Volunteer Service Act of 1973 (hereinafter in this Act referred to as "the Act") is amended by inserting immediately after the table of contents the following new section:

"VOLUNTEERISM POLICY

"Sec. 2. (a) Because of the long-standing importance of volunteerism throughout American history, it is the policy of the Congress to foster the tradition of volunteerism through greater involvement on the part of both young and older citizens.

"(b) The purpose of ACTION, the Federal domestic volunteer agency, is to foster and expand voluntary citizen service in communities throughout the Nation in activities designed to help the poor, the disadvantaged, the vulnerable, and the elderly. In carrying out this purpose, ACTION shall utilize to the fullest extent the programs authorized under this Act, coordinate with other Federal, State, and local agencies and utilize the energy, innovative spirit, experience, and skills of all Americans."

(b) **CONFORMING AMENDMENT.**—The table of contents of the Act is amended by inserting before the item relating to title I the following:

"Sec. 2. Volunteerism policy."

SEC. 3. ASSIGNMENT OF VOLUNTEERS.

(a) **RECRUITMENT AND ASSIGNMENT.**—Section 103(b) of the Act is amended to read as follows:

"(b) The Director shall establish, at a cost not to exceed \$250,000, procedures to recruit and place individuals from all walks of life, age groups, economic levels, and geographic areas to serve as VISTA volunteers. The procedures shall include an information system to ensure that potential applicants are made aware of the broad range of VISTA volunteer opportunities and a system to identify and place qualified volunteers where their skills are most needed. The Director shall also establish procedures for national and local recruitment, media and public awareness efforts, and specialized campaigns designed to recruit recent college graduates, special skilled volunteers, and individuals 55 years of age and older. The Director, wherever feasible and appropriate, shall assign low-income community volunteers to serve in their home communities in teams

Oct. 27, 1986

[H.R. 4116]

Domestic
Volunteer
Service Act
Amendments of
1986.
42 USC 4950
note.

42 USC 4951
note.

42 USC 4950.

Disadvantaged
persons.
Aged persons.
State and local
governments.

42 USC 4953.

with nationally recruited specialist volunteers. The Director shall make efforts to assign volunteers to serve in their home or nearby communities and shall make national efforts to attract other volunteers to serve in the VISTA program. The Director shall also, in the assignment of volunteers, recognize that the community identified needs which cannot be met in the local area, and the individual desires of VISTA volunteers in regard to placement in various geographic areas of the Nation, should be taken into consideration.”.

42 USC 5047.

(b) REPORTS.—Section 407 of the Act is amended—

(1) by inserting “(a)” after “407.”; and

(2) by adding the following subsection:

“(b) Not later than 120 days after the end of each fiscal year, the Director shall prepare and submit to the appropriate committees of the Congress a report describing activities under section 103(b).”.

SEC. 4. ESTABLISHMENT OF VISTA LITERACY CORPS.

42 USC 4953.

(a) ESTABLISHMENT OF LITERACY CORPS.—The Act is amended by inserting after section 108 the following new section:

“VISTA LITERACY CORPS

State and local governments.
Education.
Disadvantaged persons.
42 USC 4959.

“SEC. 109. (a) As part of the Volunteers in Service to America program established under this part, the Director shall establish a VISTA Literacy Corps for the purpose of developing, strengthening, supplementing, and expanding efforts of both public and nonprofit organizations at the local, State, and Federal level to mobilize local, State, Federal, and private sector financial and volunteer resources to address the problem of illiteracy throughout the United States.

“(b) The Director shall assign volunteers to projects and programs that meet the antipoverty criteria of part A that provide assistance to functionally illiterate and illiterate individuals who are unserved or underserved by literacy education programs, with special emphasis upon disadvantaged individuals having the highest risk of illiteracy, and individuals with the lowest reading and educational level of competence.

“(c)(1) The Director shall assign volunteers under this subsection to projects and programs that utilize volunteers to address the needs of illiterate individuals.

“(2) Programs and projects under this subsection may be administered by public or private nonprofit agencies and organizations including local, State, and national literacy councils and organizations; community-based nonprofit organizations; local and State education agencies; local and State agencies administering adult basic education programs; educational institutions; libraries; antipoverty organizations; local, municipal, and State governmental entities, and administrative entities designated to administer job training plans under the Job Training Partnership Act.

“(3) In the assignment of volunteers under this subsection the Director shall give priority consideration to—

“(A) programs and projects that assist illiterate individuals in greatest need of assistance residing in unserved or underserved areas with the highest concentrations of illiteracy and of low income individuals and families;

“(B) projects and programs serving individuals reading at the zero to fourth grade levels;

“(C) projects and programs focusing on providing literacy services to high risk populations;

Libraries.
Employment and
unemployment.

29 USC 1501
note.

“(D) projects and programs operating in areas with the highest concentration of individuals and families living at or below the poverty level;

“(E) projects and programs providing literacy services to parents of disadvantaged children between the ages of two and eight, who may be educationally at risk; and

“(F) Statewide programs and projects that encourage the creation of new literacy efforts, encourage the coordination of intrastate literacy efforts and provide technical assistance to local literacy efforts.

“(d)(1) The Director shall assign volunteers under this subsection to projects and programs that primarily utilize volunteers to tutor illiterate individuals.

“(2) Programs and projects under this subsection may be administered by local public or private nonprofit agencies and organizations including local literacy councils and organizations, community-based nonprofit organizations, local educational agencies, local agencies administering adult basic education programs, local educational institutions, libraries, antipoverty organizations, local and municipal governmental entities, and administrative entities designated to administer job training plans under the Job Training Partnership Act.

“(3) In the assignment of volunteers under this subsection the Director shall give priority consideration to local programs and projects that assist illiterate individuals in greatest need of assistance residing in unserved or underserved areas with the highest concentrations of illiteracy and of low income individuals and families.

“(e) The Director shall ensure an equitable distribution of volunteers under this section in accordance with the equitable distribution requirement of section 414 of this Act.

“(f) The VISTA Literacy Corps shall consist of all volunteers serving under part A working on literacy projects and programs.

“(g)(1) Funds made available under section 501(a) for the purposes of this section shall be used to supplement and not supplant the level of services provided under part A in fiscal year 1986 to address the problem of illiteracy.

“(2) In any fiscal year in which the services provided under part A are reduced, the services provided under this section shall be proportionately reduced.”

(b) CONFORMING AMENDMENT.—The table of contents of the Act is amended by inserting after the item relating to section 108 the following:

“Sec. 109. VISTA Literacy Corps.”.

SEC. 5. SERVICE LEARNING PROGRAMS.

Section 111 of the Act is amended—

(1) by inserting “(a)” after the section designation;

(2) by striking out the second and third sentences of such section; and

(3) by adding the following new subsection:

“(b) This part provides for the University Year for ACTION (UYA) program of full-time volunteer service by students enrolled in institutions of higher education. The purpose of the UYA program is to strengthen and supplement efforts to eliminate poverty and poverty-related human, social, and environmental problems by enabling students at cooperating institutions to perform meaningful

Children and youth.

Libraries.
Employment
and
unemployment.

29 USC 1501
note.

42 USC 5054.

42 USC 5081.

42 USC 4958.

42 USC 4971.

Education.
Schools and
colleges.