

Public Law 103-172
103d Congress

An Act

To amend title 5, United States Code, to provide for the establishment of programs to encourage Federal employees to commute by means other than single-occupancy motor vehicles.

Dec. 2, 1993
[H.R. 3318]

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

SECTION 1. SHORT TITLE; PURPOSE.

(a) **SHORT TITLE.**—This Act may be cited as the “Federal Employees Clean Air Incentives Act”.

(b) **PURPOSE.**—The purpose of this Act is to improve air quality and to reduce traffic congestion by providing for the establishment of programs to encourage Federal employees to commute by means other than single-occupancy motor vehicles.

SEC. 2. AUTHORITY TO ESTABLISH PROGRAMS.

(a) **IN GENERAL.**—Chapter 79 of title 5, United States Code, is amended by adding at the end the following:

“§ 7905. Programs to encourage commuting by means other than single-occupancy motor vehicles

“(a) For the purpose of this section—

“(1) the term ‘employee’ means an employee as defined by section 2105 and a member of a uniformed service;

“(2) the term ‘agency’ means—

“(A) an Executive agency;

“(B) an entity of the legislative branch; and

“(C) the judicial branch;

“(3) the term ‘entity of the legislative branch’ means the House of Representatives, the Senate, the Office of the Architect of the Capitol (including the Botanic Garden), the Capitol Police, the Congressional Budget Office, the Copyright Royalty Tribunal, the Government Printing Office, the Library of Congress, and the Office of Technology Assessment; and

“(4) the term ‘transit pass’ means a transit pass as defined by section 132(f)(5) of the Internal Revenue Code of 1986.

Federal
Employees
Clean Air
Incentives
Act.
Conservation.
Environmental
protection.
5 USC 7901
note.
5 USC 7905
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"(b)(1) The head of each agency may establish a program to encourage employees of such agency to use means other than single-occupancy motor vehicles to commute to or from work.

"(2) A program established under this section may involve such options as—

"(A) transit passes (including cash reimbursements therefor, but only if a voucher or similar item which may be exchanged only for a transit pass is not readily available for direct distribution by the agency);

"(B) furnishing space, facilities, or services to bicyclists; and

"(C) any non-monetary incentive which the agency head may otherwise offer under any other provision of law or other authority.

"(c) The functions of an agency head under this section shall—

"(1) with respect to the judicial branch, be carried out by the Director of the Administrative Office of the United States Courts;

"(2) with respect to the House of Representatives, be carried out by the Committee on House Administration of the House of Representatives; and

"(3) with respect to the Senate, be carried out by the Committee on Rules and Administration of the Senate.

President.

"(d) The President shall designate 1 or more agencies which shall—

"(1) prescribe guidelines for programs under this section;

"(2) on request, furnish information or technical advice on the design or operation of any program under this section; and

Reports.

"(3) submit to the President and the Congress, before January 1, 1995, and at least every 2 years thereafter, a written report on the operation of this section, including, with respect to the period covered by the report—

"(A) the number of agencies offering programs under this section;

"(B) a brief description of each of the various programs;

"(C) the extent of employee participation in, and the costs to the Government associated with, each of the various programs;

"(D) an assessment of any environmental or other benefits realized as a result of programs established under this section; and

"(E) any other matter which may be appropriate."

(b) CHAPTER ANALYSIS.—The analysis for chapter 79 of title 5, United States Code, is amended by adding at the end the following:

"7905. Programs to encourage commuting by means other than single-occupancy motor vehicles."

SEC. 3. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect on January 1, 1994.

5 USC 7905
note.

Approved December 2, 1993.

LEGISLATIVE HISTORY—H.R. 3318:

HOUSE REPORTS: No. 103-356, Pt. 1 (Comm. on Post Office and Civil Service).

CONGRESSIONAL RECORD, Vol. 139 (1993):

Nov. 15, considered and passed House.

Nov. 19, considered and passed Senate.