

## HOUSE OF REPRESENTATIVES

Under clause 8 of Rule XII, executive communications were taken from the Speaker's table as follows:

COMMUNICATION      09023      from the

Administrator, General Services Administration

transmitting

a draft bill "To amend titles 5, 22 and 37, United States Code, to authorize the payment of certain travel expenses for Federal employees, Uniformed Service members and members of the Foreign Service involved in disasters or other catastrophic events, as well as the travel of their family representatives and agency representatives".

Referred jointly to the Committees on Government Reform, Armed Services, and International Relations. July 12, 2004.



RECEIVED

04 JUN 16 PM 2:46

GSA Administrator

SPEAKER'S ROOMS  
U.S. HOUSE OF REPS.

June 8, 2004

The Honorable J. Dennis Hastert  
Speaker of the House of Representatives  
Washington, DC 20515

GR  
AS  
FA  
FT  
T09549

Dear Mr. Speaker:

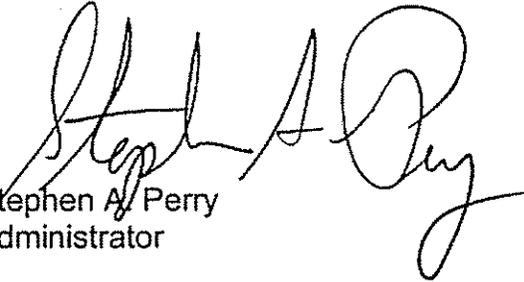
Transmitted herewith, for referral to the appropriate committee, is a draft bill prepared by the General Services Administration (GSA) to amend titles 5, 22, and 37 of the United States Code to authorize the payment of certain travel expenses for Federal employees, Uniformed Service members and members of the Foreign Service involved in disasters or other catastrophic events, as well as the travel of their family representatives and agency representatives.

In 1997, the White House Commission on Aviation Safety and Security called upon the United States Department of Transportation (DOT) to develop and coordinate plans for responding to accidents involving civilians injured or killed while traveling on Government aircraft. In addressing the task of providing assistance comparable to that provided to families of passengers killed in accidents involving commercial aircraft, DOT assembled a working group of representatives of ten executive departments and four other Federal agencies.

Through GSA's involvement in this effort, we recognized that the ability to provide for the travel needs of Federal employees and their families or family representatives under the above circumstances is currently limited. Additionally, we perceive it to be the duty of the Federal Government to accept responsibility for reimbursing the travel expenses of Federal employees, Uniformed Service members and members of the Foreign Service who survive disasters or other catastrophic events and their family representatives when serious injury or loss of a loved one occurs. We therefore propose adding authority for the affected agencies to pay for certain travel expenses when a disaster or other catastrophic event occurs.

The Office of Management and Budget has advised that there is no objection to the submission of this legislation from the standpoint of the Administration's program.

Sincerely,



Stephen A. Perry  
Administrator

Enclosure

108<sup>th</sup> Congress  
1<sup>st</sup> Session

*A Bill*

To amend 5 U.S.C. section 5702 to authorize the head of an agency to pay for certain travel expenses of Federal employees surviving disasters while performing official Government travel and to pay for certain travel expenses of family representatives and agency representatives of: 1) employees involved in such disasters and 2) employees who become seriously ill, sustain serious injuries, or die while performing official Government travel.

## EXPLANATION OF BILL

This bill would alleviate the current encumbrances with which federal agencies must contend when arranging for the humanitarian travel of Federal employees involved in disasters or other catastrophic events and payment of travel expenses for their family and agency representatives to memorial services. This bill also would authorize payment of travel expenses for family representatives and agency representatives to the location where a Government employee has become seriously ill or injured. In addition, this bill would provide similar authorities with respect to members of the Foreign Service and uniformed service members involved in disasters or other catastrophic events.

# A BILL

To amend titles 5, 22 and 37, United States Code, to authorize the payment of certain travel expenses for Federal employees, Uniformed Service members and members of the Foreign Service involved in disasters or other catastrophic events, as well as the travel of their family representatives and agency representatives.

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

## **SECTION 1. SHORT TITLE.**

This Act may be cited as the "Federal Employees, Uniformed Service and Foreign Service Members Humanitarian Travel Act of 2004".

## **SEC. 2. PAYMENT OF HUMANITARIAN TRAVEL EXPENSES INVOLVING CIVILIAN EMPLOYEES.**

Section 5702 of title 5, United States Code, is amended—

(1) in subsection (b), by adding at the end the following new paragraph:

"(4) Under regulations prescribed pursuant to section 5707 of this title, funds available to an agency may be used to pay the travel expenses of no more than two family representatives and two agency representatives to support the needs of an employee described in paragraph (1)(A) or (3) of this subsection.";

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following new subsection (c):

"(c) Under regulations prescribed pursuant to section 5707 of this title, the funds of an agency may be used to pay the travel expenses of an employee involved in a disaster or other catastrophic event, family representatives of the employee, and agency representatives to, from,

and at—

"(1) the site of such disaster or other catastrophic event;

"(2) the site of a memorial service related to such disaster or other catastrophic event; and

"(3) any other location as determined by the head of the agency concerned or his designee."

**SEC. 3. TRANSPORTATION INCIDENT TO DISASTER OR OTHER  
CATASTROPHIC EVENTS INVOLVING UNIFORMED SERVICE  
MEMBERS.**

(a) IN GENERAL.—Chapter 7 of title 37, United States Codes, is amended by inserting after section 411i the following new section:

**"§ 411j. Travel and transportation allowances: transportation incident to disaster or other catastrophic events**

"(a) Under regulations prescribed by the Secretaries concerned, the Secretary concerned may provide travel and transportation allowances to a member of the uniformed services who is involved in a disaster or other catastrophic event, to family members of the member, and to agency representatives to, from, and at—

"(1) the site of such disaster or other catastrophic event;

"(2) the site of a memorial service related to such disaster or other catastrophic event; and

"(3) any other location as determined by the Secretary concerned.

"(b) In this section, the term 'family member' has the meaning given such term in section

411h(b) of this title."

(b) CONFORMING AMENDMENT.—Section 411h(a)(1) of such title is amended by striking "transportation described in subsection (c)" and inserting "travel and transportation allowances".

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 411i the following new item:

"411j. Travel and transportation allowances: transportation incident to disaster or other catastrophic events."

**SEC. 4. TRAVEL INCIDENT TO DISASTER OR OTHER CATASTROPHIC EVENTS  
INVOLVING MEMBERS OF THE FOREIGN SERVICE.**

Section 4081 of title 22, United States Code, is amended to add —

"(16) travel by a member of the Service who is involved in a disaster or other catastrophic event while assigned abroad or in travel status, by family members of the member of the Service, and by agency representatives to, from and at --

“(A) the site of such disaster or other catastrophic event;

“(B) the site of a memorial service related to such disaster or other catastrophic event; or

“(C) any other location as determined by the Secretary.”

**SEC. 5. EFFECTIVE DATE.**

The amendments made by this Act shall take effect 180 days after the date of enactment of this Act.

## Section By Section Analysis

Section 2 would amend section 5702 of title 5, United States Code, to allow agencies to meet their humanitarian travel responsibilities to employees and their designated representatives. Under this proposed language, the head of an agency will be able to provide travel and transportation benefits to Federal employees involved in disasters or other catastrophic events while performing official Government travel and to their family and agency representatives for travel to and from the site of the disaster or catastrophic event, memorial services, or any other location designated by the head of the employing agency. The head of an agency also will be able to provide travel and transportation benefits to the family and agency representatives to the location where an employee has become seriously ill or injured, or died while performing official Government travel.

Section 3 would amend title 37, United States Code, to provide an equivalent authority for uniformed service members for disasters or other catastrophic events and memorial services. It also would expand the existing authority for travel of family members of seriously ill or injured service members. Unfortunately for the Department of Defense, most situations where the requested authority would be needed occur in non-travel situations such as training accidents at the permanent station, while aboard ship, or other events at the permanent station such as the terrorist attack on the Pentagon on 11 September. Section 3 would provide the discretionary authority to provide travel allowances for uniformed service members in those situations as well as in situations that occur while traveling.

Section 4 would amend section 4081 of title 22, United States Code, to provide the Secretary of State discretion to pay the travel and related expenses of members of the Foreign Service involved in disasters or other catastrophic events, as well as such expenses for their family members and for agency representatives. The requested authority could be used to respond to disasters and other catastrophic events involving members of the Foreign Service assigned abroad or on official travel. The section would supplement the Secretary's existing authorities to pay for travel and related expenses of members of the Service.