

Sec.

SUBCHAPTER IV—MISCELLANEOUS ALLOWANCES

- 5941. Allowances based on living costs and conditions of environment; employees stationed outside continental United States or in Alaska.
- 5942. Allowance based on duty at remote worksites.
- 5942a. Separate maintenance allowance for duty at Johnston Island.
- 5943. Foreign currency appreciation allowances.
- [5944. Repealed.]
- 5945. Notary public commission expenses.
- 5946. Membership fees; expenses of attendance at meetings; limitations.
- 5947. Quarters, subsistence, and allowances for employees of the Corps of Engineers, Department of the Army, engaged in floating plant operations.
- 5948. Physicians comparability allowances.
- 5949. Hostile fire pay.

AMENDMENTS

2001—Pub. L. 107-107, div. A, title XI, § 1111(b), Dec. 28, 2001, 115 Stat. 1238, added item 5949.

1991—Pub. L. 102-190, div. A, title X, § 1092(a)(2), Dec. 5, 1991, 105 Stat. 1487, added item 5942a.

1983—Pub. L. 98-164, title I, § 127(b)(2), Nov. 22, 1983, 97 Stat. 1027, struck out item 5944 “Illness and burial expenses; native employees in foreign countries”.

1980—Pub. L. 96-465, title II, §§ 2310(b), 2311(b), Oct. 17, 1980, 94 Stat. 2166, added items 5927 and 5928.

1978—Pub. L. 95-603, § 2(b), Nov. 6, 1978, 92 Stat. 3020, added item 5948.

Pub. L. 95-426, title IV, § 411(b), Oct. 7, 1978, 92 Stat. 981, added item 5926.

1971—Pub. L. 91-656, §§ 6(c), 7(b), Jan. 8, 1971, 84 Stat. 1954, substituted “duty at remote worksites” for “duty on California offshore islands or at Nevada Test Site” in item 5942 and added item 5947.

1967—Pub. L. 90-83, § 1(40)(B), (42), Sept. 11, 1967, 81 Stat. 206, 207, added items 5902 and 5903, and inserted “or at Nevada Test Site” in item 5942.

SUBCHAPTER I—UNIFORMS

§ 5901. Uniform allowances

(a) There is authorized to be appropriated annually to each agency of the Government of the United States, including a Government owned corporation, and of the government of the District of Columbia, on a showing of necessity or desirability, such sums as may be necessary to carry out this subchapter. The head of the agency concerned, out of funds made available by the appropriation, shall—

- (1) furnish to each of these employees a uniform at a cost not to exceed \$400 a year (or such higher maximum amount as the Office of Personnel Management may establish under section 5902); or
- (2) pay to each of these employees an allowance for a uniform not to exceed \$400 a year (or such higher maximum amount as the Office of Personnel Management may establish under section 5902).

The allowance may be paid only at the times and in the amounts authorized by the regulations prescribed under section 5903 of this title. When the agency pays direct to the uniform vendor, the head of the agency may deduct a service charge of not more than 4 percent.

(b) When the furnishing of a uniform or the payment of a uniform allowance is authorized under another statute or regulation existing on September 1, 1954, the head of the agency con-

cerned may continue the furnishing of the uniform or the payment of the uniform allowance under that statute or regulation, but in that event a uniform may not be furnished or allowance paid under this section.

(c) An allowance paid under this section is not wages within the meaning of section 409 of title 42 or chapters 21 and 24 of title 26.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 508; Pub. L. 90-83, § 1(39), Sept. 11, 1967, 81 Stat. 206; Pub. L. 101-509, title V, § 529 [title II, § 202(a)], Nov. 5, 1990, 104 Stat. 1427, 1456; Pub. L. 102-378, § 2(50), Oct. 2, 1992, 106 Stat. 1353.)

HISTORICAL AND REVISION NOTES  
1966 ACT

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
(a), (b) .....	5 U.S.C. 2131.	Sept. 1, 1954, ch. 1208, § 402, 68 Stat. 1114. May 13, 1955, ch. 40, 69 Stat. 49.
(c) .....	5 U.S.C. 2132 (less applicability to the Civil Service Retirement Act, as amended).	Sept. 1, 1954, ch. 1208, § 403 (less applicability to the Civil Service Retirement Act, as amended), 68 Stat. 1115.
(d) .....	5 U.S.C. 2133.	Sept. 1, 1954, ch. 1208, § 404, 68 Stat. 1115.

In subsection (a), the word “concerned” is substituted for “to which any such appropriation is made”.

In subsection (b), the words “in his discretion” are omitted as unnecessary in view of the permissive nature of the authority.

In subsections (b) and (d), the word “rules” is omitted as covered by the word “regulations”.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

1967 ACT

<i>Section of title 5</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
5901(a) .....	5 App.: 2131.	Oct. 29, 1965, Pub. L. 89-301 § 13, 79 Stat. 1122. July 18, 1966, Pub. L. 89-504, § 407(a), 80 Stat. 299.

The amendment to the third sentence of subsection (a) of 5 U.S.C. 5901, and the deletion of subsection (d) thereof, reflect the recodification of subsection (d) in 5 U.S.C. 5903 by section 1(40)(A) of this bill. In the last sentence of subsection (a), the words “When” and “pays” are substituted for “In those instances where” and “makes reimbursement”, respectively.

AMENDMENTS

1992—Subsec. (a)(1), (2). Pub. L. 102-378 substituted “5902” for “5902.”

1990—Subsec. (a). Pub. L. 101-509, § 529 [title II, § 202(a)(1)], substituted “such sums as may be necessary to carry out this subchapter.” for “an amount not to exceed \$125 multiplied by the number of employees of the agency who are required by regulation or statute to wear a prescribed uniform in the performance of official duties and who are not being furnished with the uniform.”

Subsec. (a)(1), (2). Pub. L. 101-509, § 529 [title II, § 202(a)(2)], substituted “\$400 a year (or such higher maximum amount as the Office of Personnel Management may establish under section 5902).” for “\$125 a year”.

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-509 effective on such date as the President shall determine, but not earlier than