

ongoing, regular functions of government the suspension of which would not imminently threaten the safety of human life or the protection of property.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 923; Pub. L. 101-508, title XIII, §13213(b), Nov. 5, 1990, 104 Stat. 1388-621; Pub. L. 104-92, title III, §310(a), Jan. 6, 1996, 110 Stat. 20.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1342	31:665(b). 31:665(d)(2)(last sentence related to voluntary services).	R.S. §3679(b), (d)(2)(last sentence related to voluntary services); Mar. 3, 1905, ch. 1484, §4(1st par.), 33 Stat. 1257; Feb. 27, 1906, ch. 510, §3, 34 Stat. 48; restated Sept. 6, 1950, ch. 896, §1211, 64 Stat. 765.

The words "District of Columbia government" are added because of section 47-105 of the D.C. Code.

AMENDMENTS

1996—Pub. L. 104-92 temporarily amended section by inserting "All officers and employees of the United States Government or the District of Columbia government shall be deemed to be performing services relating to emergencies involving the safety of human life or the protection of property." after first sentence and by striking out at end "As used in this section, the term 'emergencies involving the safety of human life or the protection of property' does not include ongoing, regular functions of government the suspension of which would not imminently threaten the safety of human life or the protection of property". See Effective and Termination Dates of 1996 Amendment note below.

1990—Pub. L. 101-508 inserted at end "As used in this section, the term 'emergencies involving the safety of human life or the protection of property' does not include ongoing, regular functions of government the suspension of which would not imminently threaten the safety of human life or the protection of property."

EFFECTIVE AND TERMINATION DATES OF 1996 AMENDMENT

Pub. L. 104-92, title III, §310(a), Jan. 6, 1996, 110 Stat. 20, provided that the amendment made by that section is for the period Dec. 15, 1995, through Jan. 26, 1996.

§ 1343. Buying and leasing passenger motor vehicles and aircraft

(a) In this section, buying a passenger motor vehicle or aircraft includes a transfer of the vehicle or aircraft between agencies.

(b) An appropriation may be expended to buy or lease passenger motor vehicles only—

- (1) for the use of—
 - (A) the President;
 - (B) the secretaries to the President; or
 - (C) the heads of executive departments listed in section 101 of title 5; or
- (2) as specifically provided by law.

(c)(1) Except as specifically provided by law, an agency may use an appropriation to buy a passenger motor vehicle (except a bus or ambulance) only at a total cost (except costs required only for transportation) that—

(A) includes the price of systems and equipment the Administrator of General Services

decides is incorporated customarily in standard passenger motor vehicles completely equipped for ordinary operation;

(B) includes the value of a vehicle used in exchange;

(C) is not more than the maximum price established by the agency having authority under law to establish a maximum price; and

(D) is not more than the amount specified in a law.

(2) Additional systems and equipment may be bought for a passenger motor vehicle if the Administrator decides the purchase is appropriate. The price of additional systems or equipment is not included in deciding whether the cost of the vehicle is within a maximum price specified in a law.

(d) An appropriation (except an appropriation for the armed forces) is available to buy, maintain, or operate an aircraft only if the appropriation specifically authorizes the purchase, maintenance, or operation.

(e) This section does not apply to—

- (1) buying, maintaining, and repairing passenger motor vehicles by the United States Capitol Police;
- (2) buying, maintaining, and repairing vehicles necessary to carry out projects to improve, preserve, and protect rivers and harbors; or
- (3) leasing, maintaining, repairing, or operating motor passenger vehicles necessary in the field work of the Department of Agriculture.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 924.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1343(a)	31:638a(e).	July 16, 1914, ch. 141, §5(a), (b), (e), 38 Stat. 508; restated Aug. 2, 1946, ch. 744, §16(a), 60 Stat. 810, 811.
1343(b)	31:638a(a).	July 16, 1914, ch. 141, §5(c)(1), 38 Stat. 508; Aug. 2, 1946, ch. 744, §16(a), 60 Stat. 810; restated Sept. 26, 1970, Pub. L. 91-423, 84 Stat. 879.
1343(c)	31:638a(c)(1).	
1343(d)	31:638a(b).	July 25, 1975, Pub. L. 94-59, §1108, 89 Stat. 300. Mar. 4, 1915, ch. 142, §10, 38 Stat. 1054. Aug. 11, 1916, ch. 313(last proviso on p. 491), 39 Stat. 491.
1343(e)	31:638a-1.	
	31:638d.	
	31:638e.	

In subsection (a), the word "agency" is substituted for "department of the Government" because of section 101 of the revised title and for consistency with the other source provisions restated in the section.

In subsection (b), before clause (1), the words "buy or lease" are substituted for "purchase or hire" for consistency. In clause (1)(C), the words "section 101 of title 5" are used because of section 7(b) of the Act of September 6, 1966 (Pub. L. 89-554, 80 Stat. 631).

In subsection (c)(1), before clause (A), the word "agency" is substituted for "department" for consistency. The words "total cost" are substituted for "cost" because of the restatement. The words "(except costs required only for transportation)" are substituted for "which shall be in addition to the amount required for transportation" for clarity. Clause (A) is substituted for "completely equipped for operation" and 31:638a(c)(1)(2d sentence) to eliminate unnecessary words.

In subsection (c)(2), the words "Notwithstanding any other provisions of law" are omitted as surplus.

In subsection (d), the words “armed forces” are substituted for “Military and Naval Establishments” for consistency.

In subsection (e)(2), the words “motor boats, trucks” in 31:638d are omitted as being included in “vehicles”. The words “adopted by Congress” are omitted as surplus.

In subsection (e)(3), the words “horse-drawn” in 31:638e are omitted because the section applies only to motor vehicles and aircraft described in 31:638a and also is obsolete. The words “motor boats” are omitted as being included in “vehicles”.

MOTOR VEHICLES PURCHASED FOR INTELLIGENCE
ACTIVITIES; EXCEPTION FROM MONETARY LIMITATIONS

Pub. L. 103-139, title VIII, § 8105, Nov. 11, 1993, 107 Stat. 1464, provided that: “During the current fiscal year and thereafter, monetary limitations on the purchase price of a passenger motor vehicle shall not apply to vehicles purchased for intelligence activities conducted pursuant to Executive Order 12333 [50 U.S.C. 3001 note] or successor orders.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 102-396, title IX, § 9038, Oct. 6, 1992, 106 Stat. 1910.

Pub. L. 102-172, title VIII, § 8038, Nov. 26, 1991, 105 Stat. 1180.

Pub. L. 101-511, title VIII, § 8039, Nov. 5, 1990, 104 Stat. 1883.

Pub. L. 101-165, title IX, § 9049, Nov. 21, 1989, 103 Stat. 1139.

Pub. L. 100-463, title VIII, § 8086, Oct. 1, 1988, 102 Stat. 2270-32.

Pub. L. 100-202, § 101(b) [title VIII, § 8119], Dec. 22, 1987, 101 Stat. 1329-43, 1329-84.

MAXIMUM PURCHASE PRICE OF MOTOR VEHICLES;
EXCEPTIONS

Pub. L. 112-74, div. C, title VII, § 702, Dec. 23, 2011, 125 Stat. 928, provided that: “Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with subsection [sic] 1343(c) of title 31, United States Code, for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at \$13,197 except station wagons for which the maximum shall be \$13,631: *Provided*, That these limits may be exceeded by not to exceed \$3,700 for police-type vehicles, and by not to exceed \$4,000 for special heavy-duty vehicles: *Provided further*, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976 [15 U.S.C. 2501 et seq.]: *Provided further*, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101-549 [see Tables for classification] over the cost of comparable conventionally fueled vehicles: *Provided further*, That the limits set forth in this section shall not apply to any vehicle that is a commercial item and which operates on emerging motor vehicle technology, including but not limited to electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 111-117, div. C, title VII, § 702, Dec. 16, 2009, 123 Stat. 3205.

Pub. L. 111-8, div. D, title VII, § 702, Mar. 11, 2009, 123 Stat. 680.

Pub. L. 110-161, div. D, title VII, § 703, Dec. 26, 2007, 121 Stat. 2019.

Pub. L. 109-115, div. A, title VIII, § 803, Nov. 30, 2005, 119 Stat. 2495.

Pub. L. 108-447, div. H, title VI, § 603, Dec. 8, 2004, 118 Stat. 3272.

Pub. L. 108-199, div. F, title VI, § 603, Jan. 23, 2004, 118 Stat. 350.

Pub. L. 108-7, div. J, title VI, § 603, Feb. 20, 2003, 117 Stat. 463.

Pub. L. 107-67, title VI, § 603, Nov. 12, 2001, 115 Stat. 545.

Pub. L. 106-554, § 1(a)(3) [title VI, § 603], Dec. 21, 2000, 114 Stat. 2763, 2763A-155.

Pub. L. 106-58, title VI, § 603, Sept. 29, 1999, 113 Stat. 466.

Pub. L. 105-277, div. A, § 101(h) [title VI, § 604], Oct. 21, 1998, 112 Stat. 2681-480, 2681-513.

Pub. L. 105-61, title VI, § 604, Oct. 10, 1997, 111 Stat. 1308.

Pub. L. 104-208, div. A, title I, § 101(f) [title VI, § 604], Sept. 30, 1996, 110 Stat. 3009-314, 3009-353.

Pub. L. 104-52, title VI, § 604, Nov. 19, 1995, 109 Stat. 497.

Pub. L. 103-329, title VI, § 604, Sept. 30, 1994, 108 Stat. 2416.

Pub. L. 103-123, title VI, § 604, Oct. 28, 1993, 107 Stat. 1259.

Pub. L. 102-393, title VI, § 605, Oct. 6, 1992, 106 Stat. 1766.

Pub. L. 102-141, title VI, § 605, Oct. 28, 1991, 105 Stat. 868.

Pub. L. 101-509, title VI, § 601, Nov. 5, 1990, 104 Stat. 1470.

Pub. L. 101-136, title VI, § 601, Nov. 3, 1989, 103 Stat. 816.

Pub. L. 100-440, title VI, § 601, Sept. 22, 1988, 102 Stat. 1751.

Pub. L. 100-202, § 101(m) [title VI, § 601], Dec. 22, 1987, 101 Stat. 1329-390, 1329-419.

Pub. L. 99-500, § 101(m) [title VI, § 601], Oct. 18, 1986, 100 Stat. 1783-308, 1783-328, and Pub. L. 99-591, § 101(m) [title VI, § 601], Oct. 30, 1986, 100 Stat. 3341-308, 3341-328.

Pub. L. 99-190, § 101(h) [H.R. 3036, title VI, § 601], Dec. 19, 1985, 99 Stat. 1291.

Pub. L. 98-473, title I, § 101(j) [H.R. 5798, title VI, § 602], Oct. 12, 1984, 98 Stat. 1963.

Pub. L. 98-151, § 101(f) [H.R. 4139, title VI, § 602], Nov. 14, 1983, 97 Stat. 973.

Pub. L. 97-377, title I, § 101(a) [H.R. 7158, title VI, § 602], Dec. 21, 1982, 96 Stat. 1830.

Pub. L. 97-92, § 101(a) [H.R. 4121, title VI, § 602], Dec. 15, 1981, 95 Stat. 1183.

Pub. L. 96-536, § 113, Dec. 16, 1980, 94 Stat. 3171.

Pub. L. 96-74, title VI, § 601, Sept. 29, 1979, 93 Stat. 573.

Pub. L. 95-429, title VI, § 601, Oct. 10, 1978, 92 Stat. 1015.

Pub. L. 95-81, title VI, § 601, July 31, 1977, 91 Stat. 354.

Pub. L. 94-363, title VI, § 601, July 14, 1976, 90 Stat. 977.

Pub. L. 94-91, title VI, § 601, Aug. 9, 1975, 89 Stat. 458.

Pub. L. 93-381, title VI, § 601, Aug. 21, 1974, 88 Stat. 630.

Pub. L. 93-143, title VI, § 601, Oct. 30, 1973, 87 Stat. 524.

Pub. L. 92-351, title VI, § 601, July 13, 1972, 86 Stat. 487.

Pub. L. 92-49, title VI, § 601, July 9, 1971, 85 Stat. 122.

Pub. L. 91-439, title V, § 501, Oct. 7, 1970, 84 Stat. 902.

Pub. L. 91-144, title V, § 501, Dec. 11, 1969, 83 Stat. 336.

Pub. L. 90-479, title V, § 501, Aug. 12, 1968, 82 Stat. 717.

Pub. L. 90-147, title V, § 501, Nov. 20, 1967, 81 Stat. 482.

Pub. L. 89-689, title V, § 501, Oct. 15, 1966, 80 Stat. 1014.

Pub. L. 89-299, title V, § 501, Oct. 28, 1965, 79 Stat. 1108.

Pub. L. 88-511, title V, § 501, Aug. 30, 1964, 78 Stat. 693.

Pub. L. 88-257, title V, § 501, Dec. 31, 1963, 77 Stat. 855.

Pub. L. 87-880, title V, § 501, Oct. 24, 1962, 76 Stat. 1227.

Pub. L. 87-125, title V, § 501, Aug. 3, 1961, 75 Stat. 282.

Pub. L. 86-642, title II, § 201, July 12, 1960, 74 Stat. 476.

Pub. L. 86-79, title II, § 201, July 8, 1959, 73 Stat. 165.

Pub. L. 85-468, title II, § 201, June 25, 1958, 72 Stat. 224.

Pub. L. 85-48, title II, § 201, June 5, 1957, 71 Stat. 53.

June 13, 1956, ch. 385, title II, § 201, 70 Stat. 279.

June 29, 1955, ch. 226, title II, § 201, 69 Stat. 195.

Aug. 26, 1954, ch. 935, Ch. XIII, § 1301, 68 Stat. 828.

Aug. 7, 1953, ch. 340, Ch. XIII, § 1301, 67 Stat. 435.

July 15, 1952, ch. 758, Ch. XIV, § 1401, 66 Stat. 659.

Nov. 1, 1951, ch. 664, Ch. XIII, § 1301, 65 Stat. 755.

Sept. 6, 1950, ch. 896, Ch. XII, § 1201, 64 Stat. 763.

Aug. 24, 1949, ch. 506, title III, § 301, 63 Stat. 661.

Apr. 20, 1948, ch. 219, title II, §201, 62 Stat. 193.
July 30, 1947, ch. 359, title II, §201, 61 Stat. 608.

§ 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.

(3) For purposes of paragraph (1), the transportation of an individual between such individual's place of employment and a mass transit facility pursuant to subsection (g) is transportation for an official purpose.

(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) the Chief Justice and the Associate Justices of the Supreme Court;

(3)(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 subclause (A) of this clause, when a determination is made by such officer that such transportation is appropriate;

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

(5) 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 members and Vice Chairman of the Joint Chiefs of Staff, and the Commandant of the Coast Guard;

(6) the Director of the Central Intelligence Agency, the Director of the Federal Bureau of Investigation, Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives¹ the

Administrator of the Drug Enforcement Administration, and the Administrator of the National Aeronautics and Space Administration;

(7) the Chairman of the Board of Governors of the Federal Reserve System;

(8) the Comptroller General of the United States and the Postmaster General of the United States; and

(9) 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 clause (9) 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, section 2637 of title 10, or section 8(a)(1) of the Central Intelligence Agency Act of 1949.

(d)(1) Any determination made under subsection (b)(9) of this section 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 subsection (b)(9) of this section 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) and (b)(3)(B) and (9) 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

¹ So in original. Probably should be followed by a comma.