

AMENDMENTS

2002—Subsec. (d). Pub. L. 107-347 struck out subsec. (d) which read as follows: “For purposes of this section, ‘training’ includes a private sector assignment of an employee participating in the Executive Exchange Program of the President’s Commission on Executive Exchange.”

1994—Subsec. (a). Pub. L. 103-226 substituted “for more than a minimum period prescribed by the head of the agency” for “by, in, or through a non-Government facility under this chapter”.

1984—Subsec. (d). Pub. L. 98-224 added subsec. (d).

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-347 effective 120 days after Dec. 17, 2002, see section 402(a) of Pub. L. 107-347, set out as an Effective Date note under section 3601 of Title 44, Public Printing and Documents.

DEPARTMENT OF HOMELAND SECURITY

Exception from provisions of this section of those elements of the Department of Homeland Security that are supervised by the Under Secretary of Homeland Security for Information Analysis and Infrastructure Protection through the Department’s Assistant Secretary for Information Analysis, see Ex. Ord. No. 13286, §86, Feb. 28, 2003, 68 F.R. 10632, set out as a note under section 111 of Title 6, Domestic Security.

CENTRAL INTELLIGENCE AGENCY

Exception of Central Intelligence Agency from provisions of this section, see Ex. Ord. No. 10805, Feb. 18, 1959, 24 F.R. 1301, set out as a note under section 4102 of this title.

§ 4109. Expenses of training

(a) The head of an agency, under the regulations prescribed under section 4118(a)(8) of this title and from appropriations or other funds available to the agency, may—

(1) pay all or a part of the pay (except overtime, holiday, or night differential pay) of an employee of the agency selected and assigned for training under this chapter, for the period of training; and

(2) pay, or reimburse the employee for, all or a part of the necessary expenses of the training, without regard to section 3324(a) and (b) of title 31, including among the expenses the necessary costs of—

(A) travel and per diem instead of subsistence under subchapter I of chapter 57 of this title or, in the case of commissioned officers of the National Oceanic and Atmospheric Administration, sections 474 and 475 of title 37, and the Joint Travel Regulations for the Uniformed Services;

(B) transportation of immediate family, household goods and personal effects, packing, crating, temporarily storing, draying, and unpacking under section 5724 of this title or, in the case of commissioned officers of the National Oceanic and Atmospheric Administration, sections 476 and 479 of title 37, and the Joint Travel Regulations for the Uniformed Services, when the estimated costs of transportation and related services are less than the estimated aggregate per diem payments for the period of training;

(C) tuition and matriculation fees;

(D) library and laboratory services;

(E) purchase or rental of books, materials, and supplies; and

(F) other services or facilities directly related to the training of the employee.

(b) The expenses of training do not include membership fees except to the extent that the fee is a necessary cost directly related to the training itself or that payment of the fee is a condition precedent to undergoing the training.

(c) Notwithstanding subsection (a)(1) of this section, the Administrator, Federal Aviation Administration, may pay an individual training to be an air traffic controller of such Administration, and the Secretary of Defense may pay an individual training to be an air traffic controller of the Department of Defense, during the period of such training, at the applicable rate of basic pay for the hours of training officially ordered or approved in excess of forty hours in an administrative workweek.

(d) Notwithstanding subsection (a)(1), a firefighter who is subject to section 5545b of this title shall be paid basic pay and overtime pay for the firefighter’s regular tour of duty while attending agency sanctioned training.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 436; Pub. L. 90-83, § 1(4), Sept. 11, 1967, 81 Stat. 196; Pub. L. 96-54, §2(a)(19), Aug. 14, 1979, 93 Stat. 382; Pub. L. 97-258, §3(a)(9), Sept. 13, 1982, 96 Stat. 1063; Pub. L. 97-276, §151(a), Oct. 2, 1982, 96 Stat. 1200; Pub. L. 98-224, §5(b)(2), Mar. 2, 1984, 98 Stat. 48; Pub. L. 98-525, title XV, §1537(a), Oct. 19, 1984, 98 Stat. 2635; Pub. L. 102-378, §2(17), Oct. 2, 1992, 106 Stat. 1347; Pub. L. 105-277, div. A, §101(h) [title VI, §628(c)], Oct. 21, 1998, 112 Stat. 2681-480, 2681-521; Pub. L. 112-81, div. A, title VI, §631(f)(4)(B), Dec. 31, 2011, 125 Stat. 1465; Pub. L. 112-239, div. A, title X, §1076(a)(9), Jan. 2, 2013, 126 Stat. 1948.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 2309.	July 7, 1958, Pub. L. 85-507, §10, 72 Stat. 332.

In subsection (a)(1) and (2), the words “training under this chapter” and “the training” are substituted for “training by, in, or through Government facilities or non-Government facilities under authority of this chapter” and “such training”, respectively.

In subsection (a)(2)(A), the words “and the Standardized Government Travel Regulations” are omitted as included by the reference to “subchapter I of chapter 57 of this title”.

In subsection (a)(2)(A) and (B), the words “sections 404 and 405 of title 37” and “sections 406 and 409 of title 37” are substituted for the references to “section 253 of title 37” on authority of section 12(b) of the Act of Sept. 7, 1962, Pub. L. 87-649, 76 Stat. 497.

In subsection (a)(2)(B), the words “under section 5724 of this title” are substituted for “in accordance with section 73b-1 of this title, and Executive Order Numbered 9805, as amended” to reflect the codification of former section 73b-1 in this title and in view of the revocation of Executive Order No. 9805 by Executive Order No. 11012 of Mar. 27, 1962. The reference only to section 5724 is sufficient since that section contains the applicable substantive law, including the authority of the President to prescribe 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.

AMENDMENTS

2013—Subsec. (a)(2)(A), (B). Pub. L. 112-239, §1076(a)(9), made technical amendment to directory language of

Pub. L. 112-81, §631(f)(4)(B). See 2011 Amendment note below.

2011—Subsec. (a)(2)(A), (B). Pub. L. 112-81, §631(f)(4)(B), as amended by Pub. L. 112-239, §1076(a)(9), substituted “474” for “404” and “475” for “405” in subpar. (A), and “476” for “406” and “479” for “409” in subpar. (B).

1998—Subsec. (d). Pub. L. 105-277 added subsec. (d).

1992—Subsec. (d). Pub. L. 102-378 struck out subsec. (d) which made revolving fund referred to in section 1304(e)(1) of this title available for costs of education and related travel of participants in such program, for printing, and for entertainment expenses, and which required crediting of participation fees to revolving fund.

1984—Subsec. (c). Pub. L. 98-525 inserted “and the Secretary of Defense may pay an individual training to be an air traffic controller of the Department of Defense.”.

Subsec. (d). Pub. L. 98-224 added subsec. (d).

1982—Subsec. (a)(2). Pub. L. 97-258 substituted “section 3324(a) and (b)” for “section 529”.

Subsec. (c). Pub. L. 97-276 added subsec. (c).

1979—Subsec. (a)(2). Pub. L. 96-54 substituted “National Oceanic and Atmospheric” for “Environmental Science Services” in cls. (A) and (B).

1967—Subsec. (a)(2). Pub. L. 90-83 substituted “Environmental Science Services Administration” for “Coast and Geodetic Survey” in cls. (A) and (B). See Historical and Revision Notes under section 2101 of this title.

EFFECTIVE DATE OF 2013 AMENDMENT

Pub. L. 112-239, div. A, title X, §1076(a), Jan. 2, 2013, 126 Stat. 1947, provided that the amendment made by section 1076(a)(9) is effective Dec. 31, 2011, and as if included in Pub. L. 112-81 as enacted.

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-277, div. A, §101(h) [title VI, §628(e)], Oct. 21, 1998, 112 Stat. 2681-480, 2681-521, provided that: “The amendments made by this section [enacting section 5545b of this title and amending this section and sections 5542 and 8331 of this title] shall take effect on the first day of the first applicable pay period which begins on or after October 1, 1998.”

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-378 effective Oct. 1, 1991, see section 9(b)(3) of Pub. L. 102-378, set out as a note under section 6303 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Pub. L. 98-525, title XV, §1537(f), Oct. 19, 1984, 98 Stat. 2636, provided that: “The amendments made by this section [amending this section and sections 5532, 5546a, 5547, and 8344 of this title] shall take effect on October 1, 1984.”

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-276 effective on first day of first applicable pay period beginning after Oct. 2, 1982, see section 151(h)(2) of Pub. L. 97-276, set out as an Effective Date note under section 5546a of this title.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-54 effective July 12, 1979, see section 2(b) of Pub. L. 96-54, set out as a note under section 305 of this title.

DEPARTMENT OF HOMELAND SECURITY

Exception from introductory provisions of subsec. (a) of this section of those elements of the Department of Homeland Security that are supervised by the Under Secretary of Homeland Security for Information Analysis and Infrastructure Protection through the Department’s Assistant Secretary for Information Analysis, see Ex. Ord. No. 13286, §86, Feb. 28, 2003, 68 F.R. 10632, set out as a note under section 111 of Title 6, Domestic Security.

CENTRAL INTELLIGENCE AGENCY

Exception of Central Intelligence Agency from certain introductory provisions of subsec. (a) of this section, see Ex. Ord. No. 10805, Feb. 18, 1959, 24 F.R. 1301, set out as a note under section 4102 of this title.

§ 4110. Expenses of attendance at meetings

Appropriations available to an agency for travel expenses are available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of the functions or activities.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 436.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 2318(b).	July 7, 1958, Pub. L. 85-507, §19(b), 72 Stat. 336.

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

§ 4111. Acceptance of contributions, awards, and other payments

(a) To the extent authorized by regulation of the President, contributions and awards incident to training in non-Government facilities, and payment of travel, subsistence, and other expenses incident to attendance at meetings, may be made to and accepted by an employee, without regard to section 209 of title 18, if the contributions, awards, and payments are made by an organization determined by the Secretary of the Treasury to be an organization described by section 501(c)(3) of title 26 which is exempt from taxation under section 501(a) of title 26.

(b) When a contribution, award, or payment, in cash or in kind, is made to an employee for travel, subsistence, or other expenses under subsection (a) of this section, an appropriate reduction, under regulations of the President, shall be made from payment by the Government to the employee for travel, subsistence, or other expenses incident to training in a non-Government facility or to attendance at a meeting.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 437; Pub. L. 96-54, §2(a)(2), Aug. 14, 1979, 93 Stat. 381.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
(a)	5 U.S.C. 2318(a).	July 7, 1958, Pub. L. 85-507, §19(a), 72 Stat. 336.
(b)	5 U.S.C. 2318(c).	July 7, 1958, Pub. L. 85-507, §19(c), 72 Stat. 336.

In subsection (a), the words “section 209 of title 18” are substituted for “section 1914 of title 18” on authority of the Act of Oct. 23, 1962, Pub. L. 87-849, §2, 76 Stat. 1126.

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

AMENDMENTS

1979—Subsec. (b). Pub. L. 96-54 substituted “President” for “Director of the Bureau of the Budget”.