

in 5 years after the date the employee first commences any period of consecutive tours of duty in Alaska or Hawaii.

(d) This section does not apply to appropriations for the Foreign Service of the United States.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 505; Pub. L. 97-253, title III, § 351(a), (b), Sept. 8, 1982, 96 Stat. 800; Pub. L. 104-201, div. A, title XVII, § 1723(b)(1), Sept. 23, 1996, 110 Stat. 2759; Pub. L. 105-264, § 6(8), Oct. 19, 1998, 112 Stat. 2356.)

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. 73b-3(a) (3d proviso).	Aug. 31, 1954, ch. 1155 (1st proviso), 68 Stat. 1008.
(b)	5 U.S.C. 73b-3(a) (4th proviso).	Sept. 2, 1958, Pub. L. 85-858, 72 Stat. 1274.

The first 14 words of subsections (a) and (b), and subsection (c), are added on authority of former section 73b-3(a) (less 3d-6th provisos), which is carried into section 5722.

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

1998—Subsec. (b). Pub. L. 105-264 substituted “an employee of the Government” for “an employee of the United States”.

1996—Subsecs. (a) to (c)(1). Pub. L. 104-201, § 1723(b)(1), substituted “Under regulations prescribed under section 5738 of this title” for “Under such regulations as the President may prescribe”.

1982—Subsecs. (a), (b). Pub. L. 97-253, § 351(a), inserted “, Alaska, and Hawaii” after “continental United States” wherever appearing.

Subsecs. (c), (d). Pub. L. 97-253, § 351(b), added subsec. (c) and redesignated former subsec. (c) as (d).

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-201 effective 180 days after Sept. 23, 1996, see section 1725(a) of Pub. L. 104-201, set out as a note under section 5722 of this title.

EFFECTIVE DATE OF 1982 AMENDMENT

Pub. L. 97-253, title III, § 351(c), (d), Sept. 8, 1982, 96 Stat. 800, as amended by Pub. L. 97-346, § 3(m), Oct. 15, 1982, 96 Stat. 1649, provided that:

“(c)(1) Except as provided in paragraph (2), the amendments made by subsection (a) [amending this section] shall take effect with respect to expenses incurred after the date of enactment of this Act [Sept. 8, 1982] for round-trip travel (commenced after such date) of an employee or transportation of his immediate family from his post of duty to the place of his actual residence at the time of appointment or transfer to the post of duty.

“(2) The amendments made by this section [amending this section] shall not apply to any employee who is serving a tour of duty at a post of duty in Alaska or Hawaii on the date of the enactment of this Act [Sept. 8, 1982] during—

“(A) such tour of duty, and

“(B) any other consecutive tour of duty following such tour of duty.

“(d) For the purposes of subsection (c), the term ‘employee’ shall have the same meaning as provided in section 5721(2) of title 5, United States Code.”

§ 5729. Transportation expenses; prior return of family

(a) Under regulations prescribed under section 5738 of this title, an agency shall pay from its

appropriations, not more than once before the return to the United States of an employee whose post of duty is outside the continental United States, the expenses of transporting his immediate family and of shipping his household goods and personal effects from his post of duty to his actual place of residence when—

(1) he has acquired eligibility for that transportation; or

(2) the public interest requires the return of the immediate family for compelling personal reasons of a humanitarian or compassionate nature, such as may involve physical or mental health, death of a member of the immediate family, or obligation imposed by authority or circumstances over which the individual has no control.

(b) Under regulations prescribed under section 5738 of this title, an agency shall reimburse from its appropriations an employee whose post of duty is outside the continental United States for the proper transportation expenses of returning his immediate family and his household goods and personal effects to the United States, when—

(1) their return was made at the expense of the employee before his return and for other than reasons of public interest; and

(2) he acquires eligibility for those transportation expenses.

(c) This section does not apply to appropriations for the Foreign Service of the United States.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 505; Pub. L. 104-201, div. A, title XVII, § 1723(b)(1), Sept. 23, 1996, 110 Stat. 2759; Pub. L. 105-264, § 6(9), Oct. 19, 1998, 112 Stat. 2356.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 73b-3(a) (5th and 6th provisos).	Aug. 31, 1954, ch. 1155 (less 1st proviso), 68 Stat. 1008.

The first 14 words of subsections (a) and (b), and subsection (c), are added on authority of former section 73b-3(a) (less 3d-6th provisos), which is carried into section 5722. The words “household effects” and “household goods” in the 5th and 6th provisos of former section 73b-3(a) are changed to “household goods and personal effects” for clarity and consistency in the use of the words elsewhere in this subchapter.

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

1998—Subsecs. (a), (b). Pub. L. 105-264 struck out “or its territories or possessions” after “to the United States”.

1996—Subsecs. (a), (b). Pub. L. 104-201 substituted “Under regulations prescribed under section 5738 of this title” for “Under such regulations as the President may prescribe”.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-201 effective 180 days after Sept. 23, 1996, see section 1725(a) of Pub. L. 104-201, set out as a note under section 5722 of this title.

§ 5730. Funds available

Funds available for travel expenses of an employee are available for expenses of transpor-