

§ 5738. Regulations

(a)(1) Except as specifically provided in this subchapter, the Administrator of General Services shall prescribe regulations necessary for the administration of this subchapter.

(2) The Administrator of General Services shall include in the regulations authority for the head of an agency or his designee to waive any limitation of this subchapter or in any implementing regulation for any employee relocating to or from a remote or isolated location who would suffer hardship if the limitation were not waived. A waiver of a limitation under authority provided in the regulations pursuant to this paragraph shall be effective notwithstanding any other provision of this subchapter.

(b) In prescribing regulations for the implementation of section 5724b of this title, the Administrator of General Services shall consult with the Secretary of the Treasury.

(c) The Secretary of Defense shall prescribe regulations necessary for the implementation of section 5735 of this title.

(Added Pub. L. 104-201, div. A, title XVII, §1722, Sept. 23, 1996, 110 Stat. 2758.)

EFFECTIVE DATE

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

§ 5739. Authority for relocation expenses test programs

(a)(1) Notwithstanding any other provision of this subchapter, under a test program which the Administrator of General Services determines to be in the interest of the Government and approves, an agency may pay through the proper disbursing official any necessary relocation expenses in lieu of any payment otherwise authorized or required under this subchapter. An agency shall include in any request to the Administrator for approval of such a test program an analysis of the expected costs and benefits and a set of criteria for evaluating the effectiveness of the program.

(2) Any test program conducted under this section shall be designed to enhance cost savings or other efficiencies that accrue to the Government.

(b) The Administrator shall transmit a copy of any test program approved or extended by the Administrator under this section to the appropriate committees of the Congress at least 30 days before the effective date of the program or extension.

(c)(1) An agency authorized to conduct a test program under subsection (a) shall annually submit a report on the results of the program to date to the Administrator.

(2) Not later than 3 months after completion of a test program, the agency conducting the program shall submit a final report on the results of the program to the Administrator and the appropriate committees of Congress.

(d) No more than 12 test programs under this section may be conducted simultaneously.

(e)(1) The Administrator may not approve any test program for an initial period of more than 4 years.

(2)(A) Upon the request of the agency administering a test program, the Administrator may extend the program.

(B) An extension under subparagraph (A) may not exceed 4 years.

(C) The Administrator may exercise more than 1 extension under subparagraph (A) with respect to any test program.

(Added Pub. L. 105-264, §5(b), Oct. 19, 1998, 112 Stat. 2355; amended Pub. L. 109-325, §1(a), Oct. 11, 2006, 120 Stat. 1760; Pub. L. 111-112, §1(a), Nov. 30, 2009, 123 Stat. 3024.)

AMENDMENTS

2009—Subsec. (a)(3). Pub. L. 111-112, §1(a)(1), struck out par. (3) which read as follows: “Nothing in this section is intended to limit the authority of any agency to conduct test programs.”

Subsec. (b). Pub. L. 111-112, §1(a)(2), inserted “or extended” after “approved” and “or extension” after “of the program”.

Subsec. (c). Pub. L. 111-112, §1(a)(3), added subsec. (c) and struck out former subsec. (c) which read as follows: “An agency authorized to conduct a test program under subsection (a) shall provide to the Administrator and the appropriate committees of the Congress a report on the results of the program no later than 3 months after completion of the program.”

Subsec. (d). Pub. L. 111-112, §1(a)(4), substituted “12” for “10”.

Subsec. (e). Pub. L. 111-112, §1(a)(5), added subsec. (e) and struck out former subsec. (e) which read as follows: “The authority to conduct test programs under this section shall expire 11 years after the date of the enactment of the Travel and Transportation Reform Act of 1998.”

2006—Subsec. (a)(1). Pub. L. 109-325, §1(a)(1), struck out “for a period not to exceed 24 months” after “disbursing official”.

Subsec. (e). Pub. L. 109-325, §1(a)(2), substituted “11 years” for “7 years”.

EFFECTIVE DATE OF 2009 AMENDMENT

Pub. L. 111-112, §1(b), Nov. 30, 2009, 123 Stat. 3025, provided that: “This section [amending this section] shall take effect on December 18, 2009.”

EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-325, §1(b), Oct. 11, 2006, 120 Stat. 1760, provided that: “The amendments made by this section [amending this section] shall take effect as though enacted as part of the Travel and Transportation Reform Act of 1998 (Public Law 105-264; 112 Stat. 2350).”

SUBCHAPTER III—TRANSPORTATION OF REMAINS, DEPENDENTS, AND EFFECTS

§ 5741. General prohibition

Except as specifically authorized by statute, the head of an Executive department or military department may not authorize an expenditure in connection with the transportation of remains of a deceased employee.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 506.)

HISTORICAL AND REVISION NOTES

Derivation	U.S. Code	Revised Statutes and Statutes at Large
.....	5 U.S.C. 103.	June 7, 1897, ch. 3, §1 (last proviso on p. 86), 30 Stat. 86.

The words “a military department” are inserted to preserve the application of the source law. Before en-