

1 **Subtitle B—Consolidation and Reform of Travel and Transportation**

2 **Authorities**

3 **SEC. 611. CONSOLIDATION AND REFORM OF TRAVEL AND TRANSPORTATION**

4 **AUTHORITIES OF THE UNIFORMED SERVICES.**

5 (a) PURPOSE.—This section establishes general travel and transportation provisions for
6 members of the uniformed service and other travelers authorized to travel under official
7 conditions. Recognizing the complexities and the changing nature of travel, the amendments
8 made by this section provide the Secretary of Defense and the other administering Secretaries
9 with the authority to prescribe and implement travel and transportation policy that is simple,
10 efficient, relevant, and flexible and that meets mission and servicemember needs.

11 (b) CONSOLIDATED AUTHORITIES.—Title 37, United States Code, is amended by inserting
12 after chapter 7 the following new chapter:

13 **“CHAPTER 8—TRAVEL AND TRANSPORTATION ALLOWANCES**

“Sec.

 “Subchapter I—Travel and Transportation Authorities—New Law

“451. Definitions.

“452. Allowable travel and transportation: general authorities.

“453. Allowable travel and transportation: specific authorities.

“454. Travel and transportation pilot programs.

“455. Appropriations for travel: may not be used for attendance at certain meetings.

 “Subchapter II—Administrative Provisions

“461. Relationship to other authorities.

“462. Travel and transportation expenses paid to members that are unauthorized or in excess of authorized amounts:
 requirement for repayment.

“463. Regulations.

 “Subchapter III—Travel and Transportation Authorities—Old Law

“471. Travel authorities transition expiration date.

“472. Definitions and other incorporated provisions of chapter 7.

“474. Travel and transportation allowances: general.

“474a. Travel and transportation allowances: temporary lodging expenses.

“474b. Travel and transportation allowances: payment of lodging expenses at temporary duty location during
 authorized absence of member.

“475. Travel and transportation allowances: per diem while on duty outside the continental United States.

“475a. Travel and transportation allowances: departure allowances.

- “476. Travel and transportation allowances: dependents; baggage and household effects.
- “476a. Travel and transportation allowances: authorized for travel performed under orders that are canceled, revoked, or modified.
- “476b. Travel and transportation allowances: members of the uniformed services attached to a ship overhauling or inactivating.
- “476c. Travel and transportation allowances: members assigned to a vessel under construction.
- “477. Travel and transportation allowances: dislocation allowance.
- “478. Travel and transportation allowances: travel within limits of duty station.
- “478a. Travel and transportation allowances: inactive duty training outside of the normal commuting distances.
- “479. Travel and transportation allowances: house trailers and mobile homes.
- “480. Travel and transportation allowances: miscellaneous categories.
- “481. Travel and transportation allowances: administrative provisions.
- “481a. Travel and transportation allowances: travel performed in connection with convalescent leave.
- “481b. Travel and transportation allowances: travel performed in connection with leave between consecutive overseas tours.
- “481c. Travel and transportation allowances: travel performed in connection with rest and recuperative leave from certain stations in foreign countries.
- “481d. Travel and transportation allowances: transportation incident to personal emergencies for certain members and dependents.
- “481e. Travel and transportation allowances: transportation incident to certain emergencies for members performing temporary duty.
- “481f. Travel and transportation allowances: transportation for survivors of deceased member to attend the member’s burial ceremonies.
- “481g. Travel and transportation allowances: transportation incident to voluntary extensions of overseas tours of duty.
- “481h. Travel and transportation allowances: transportation of family members incident to illness or injury of members.
- “481i. Travel and transportation allowances: parking expenses.
- “481j. Travel and transportation allowances: transportation of family members incident to the repatriation of members held captive.
- “481k. Travel and transportation allowances: non-medical attendants for members determined to be very seriously or seriously wounded, ill, or injured.
- “484. Travel and transportation: dependents of members in a missing status; household and personal effects; trailers; additional movements; motor vehicles; sale of bulky items; claims for proceeds; appropriation chargeable.
- “488. Allowance for recruiting expenses.
- “489. Travel and transportation allowances: minor dependent schooling.
- “490. Travel and transportation: dependent children of members stationed overseas.
- “491. Benefits for certain members assigned to the Defense Intelligence Agency.
- “492. Travel and transportation: members escorting certain dependents.
- “494. Subsistence reimbursement relating to escorts of foreign arms control inspection teams.
- “495. Funeral honors duty: allowance.

1 “SUBCHAPTER I—TRAVEL AND TRANSPORTATION—NEW LAW

2 **“§451. Definitions**

3 “(a) DEFINITIONS RELATING TO PERSONS.—In this subchapter and subchapter II:

4 “(1) The term ‘administering Secretary’ or ‘administering Secretaries’ means the

5 following:

1 “(A) The Secretary of Defense, with respect to the armed forces (including
2 the Coast Guard when it is operating as a service in the Navy).

3 “(B) The Secretary of Homeland Security, with respect to the Coast Guard
4 when it is not operating as a service in the Navy.

5 “(C) The Secretary of Commerce, with respect to the National Oceanic
6 and Atmospheric Administration.

7 “(D) The Secretary of Health and Human Services, with respect to the
8 Public Health Service.

9 “(2) The term ‘authorized traveler’ means a person who is authorized travel and
10 transportation allowances when performing official travel ordered or authorized by the
11 administering Secretary. Such term includes the following:

12 “(A) A member of the uniformed services.

13 “(B) A family member of a member of the uniformed services.

14 “(C) A person acting as an escort or attendant for a member or family
15 member who is traveling on official travel or is traveling with the remains of a
16 deceased member.

17 “(D) A person who participates in a military funeral honors detail.

18 “(E) A Senior Reserve Officers’ Training Corps cadet or midshipman.

19 “(F) An applicant or rejected applicant for enlistment.

20 “(G) Any other person whose employment or service is considered
21 directly related to a Government official activity or function under regulations
22 prescribed section 463 of this title.

1 “(3) The term ‘family member’, with respect to a member of the uniformed
2 services, means the following:

3 “(A) A dependent, as defined in section 401(a) of this title.

4 “(B) A child, as defined in section 401(b)(1) of this title.

5 “(C) A parent, as defined in section 401(b)(2) of this title.

6 “(D) A sibling of the member.

7 “(E) A former spouse of the member.

8 “(F) Any person not covered by subparagraphs (A) through (E) who is in a
9 category specified in regulations under section 463 of this title as having an
10 association, connection, or affiliation with a member of the uniformed services or
11 the family of such a member.

12 “(G) Any person not covered by subparagraphs (A) through (F) who is
13 determined by the administering Secretary under regulations prescribed under
14 section 463 of this title as warranting the status of being a family member for
15 purposes of a particular travel incident.”.

16 “(b) DEFINITIONS RELATING TO TRAVEL AND TRANSPORTATION ALLOWANCES.—In this
17 subchapter and subchapter II:

18 “(1) The term ‘official travel’ means the following:

19 “(A) Military duty or official business performed by an authorized traveler
20 away from a duty assignment location or other authorized location.

21 “(B) Travel performed by an authorized traveler ordered to relocate from a
22 permanent duty station to another permanent duty station.

1 “(C) Travel performed by an authorized traveler ordered to the first
2 permanent duty station, or separated or retired from uniformed service.

3 “(D) Local travel in or around the temporary duty or permanent duty
4 station.

5 “(E) Other travel as authorized or ordered by the administering Secretary.

6 “(2) The term ‘actual and necessary expenses’ means expenses incurred in fact by
7 a traveler as a reasonable consequence of official travel.

8 “(3) The term ‘travel allowances’ means the daily lodging, meals, and other
9 related expenses, including relocation expenses, incurred by an authorized traveler while
10 on official travel.

11 “(4) The term ‘transportation allowances’ means the costs of temporarily or
12 permanently moving an authorized traveler, the personal property of an authorized
13 traveler, or a combination thereof.

14 “(5) The term ‘transportation-, lodging-, or meals-in-kind’ means transportation,
15 lodging, or meals provided by the Government without cost to the traveler.

16 “(6) The term ‘miscellaneous expenses’ mean authorized expenses incurred in
17 addition to authorized allowances during the performance of official travel.

18 “(7) The term ‘personal property’, with respect to transportation allowances,
19 includes baggage, furniture, and other household items, clothing, privately owned
20 vehicles, house trailers, mobile homes, and any other personal item that would not
21 otherwise be prohibited by any other provision or law, or regulation prescribed under
22 section 463 of this title.

1 “(8) The term ‘relocation allowances’ means the costs associated with relocating a
2 member of the uniformed services or other authorized traveler between an old and new
3 temporary or permanent duty assignment location or other authorized location.

4 “(9) The term ‘dislocation allowances’ means the costs associated with relocation
5 of the household of a member of the uniformed services or other authorized traveler in
6 relation to a change in the member’s permanent duty assignment location ordered for the
7 convenience of the Government or incident to an evacuation.

8 “(10) The term ‘per diem’ means an amount established as a daily rate that is paid
9 to an authorized traveler to cover lodging, meals, and other related travel expenses
10 pursuant to regulations.

11 **“§452. Allowable travel and transportation: general authorities**

12 “(a) IN GENERAL.—Except as otherwise prohibited by law, a member of the uniformed
13 services or other authorized traveler—

14 “(1) shall be provided transportation-, lodging, or meals-in-kind, or actual and
15 necessary travel and transportation expenses for, or in connection with, official travel; or

16 “(2) may be provided transportation and travel allowances under other
17 circumstances as specified in regulations prescribed under section 463 of this title.

18 “(b) SPECIFIC CIRCUMSTANCES.—The authority under subsection (a) includes travel
19 under or in connection with, but not limited to, the following circumstances, to the extent
20 specified in regulations prescribed under section 463 of this title:

21 “(1) Temporary duty that requires en route travel between a permanent duty
22 assignment location and another authorized temporary duty location, and travel in or
23 around the temporary duty location.

1 “(2) Permanent change of station that requires en route travel between an old and
2 new temporary or permanent duty assignment location or other authorized location.

3 “(3) Temporary duty or assignment relocation related to a consecutive overseas
4 tour or in-place-consecutive overseas tour.

5 “(4) Recruiting duties for the armed forces.

6 “(5) Assignment or detail to another Government agency or department.

7 “(6) Rest and recuperative leave.

8 “(7) Convalescent leave.

9 “(8) Reenlistment leave.

10 “(9) Reserve component inactive-duty training performed outside the normal
11 commuting distance of the member’s permanent residence.

12 “(10) Ready Reserve muster duty.

13 “(11) Unusual, extraordinary, hardship, or emergency circumstances.

14 “(12) Missing status, as determined by the Secretary concerned under chapter 10
15 of this title.

16 “(13) Attendance at or participation in international sports competitions described
17 under section 717 of title 10.

18 “(c) MATTERS INCLUDED.—Travel and transportation allowances which may be provided
19 under subsection (a) include the following:

20 “(1) Allowances for transportation, lodging, and meals.

21 “(2) Dislocation or relocation allowance paid in connection with a change in a
22 member’s temporary or permanent duty assignment location.

23 “(3) Other related miscellaneous expenses.

1 “(d) MODE OF PROVIDING TRAVEL AND TRANSPORTATION ALLOWANCES.—Any
2 authorized travel and transportation may be provided—

3 “(1) as an actual expense;

4 “(2) as an authorized allowance;

5 “(3) in-kind; or

6 “(4) using a combination of the authorities under paragraphs (1), (2), and (3).

7 “(e) TRAVEL AND TRANSPORTATION ALLOWANCES WHEN TRAVEL ORDERS ARE
8 MODIFIED, ETC.—A member of a uniformed service or other authorized person whose travel and
9 transportation order or authorization is canceled, revoked, or modified may be allowed actual
10 and necessary expenses or travel and transportation allowances.

11 “(f) ADVANCE PAYMENTS.—A member of the uniformed services or other authorized
12 person may be allowed advance payments for authorized travel and transportation allowances.

13 “(g) RESPONSIBILITY FOR UNAUTHORIZED EXPENSES.—Any unauthorized travel or
14 transportation expense is not the responsibility of the United States.

15 “(h) RELATIONSHIP TO OTHER AUTHORITIES.—The administering Secretary may not
16 provide payment under this section for an expense for which payment may be provided from any
17 other appropriate Government or non-Government entity.

18 **§453. Allowable travel and transportation: specific authorities**

19 “(a) IN GENERAL.—In addition to any other authority for the provision of travel and
20 transportation allowances, the administering Secretaries may provide travel expenses and
21 transportation expenses under this subchapter in accordance with this section:

22 “(b) AUTHORIZED ABSENCE FROM TEMPORARY DUTY LOCATION.—A member of a
23 uniformed service or other authorized traveler may be allowed travel expenses and transportation

1 allowances incurred at a temporary duty location during an authorized absence from that
2 location.

3 “(c) MOVEMENT OF PERSONAL PROPERTY .—

4 “(1) A member of a uniformed service or other authorized person may be allowed
5 moving expenses and transportation allowances associated with the movement of
6 personal property and household goods, including such expenses when associated with a
7 self-move.

8 “(2) The authority in paragraph (1) includes the movement and temporary and
9 non-temporary storage of personal property, household goods, and privately-owned
10 vehicles in connection with the temporary or permanent move between authorized
11 locations.

12 “(3) For movement of household goods, the administering Secretaries shall
13 prescribe weight allowances in regulations under section 463 of this title. The prescribed
14 weight allowances may not exceed 18,000 pounds (including packing, crating, and
15 household goods in temporary storage), except that the administering Secretary may
16 authorize additional weight allowances as necessary.

17 “(4) The administering Secretary may prescribe the terms, rates, and conditions
18 that authorize a member of the uniformed services to ship or store a privately owned
19 vehicle.

20 “(5) No carrier, port agent, warehouseman, freight forwarder, or other person
21 involved in the transportation of property may have any lien on, or hold, impound, or
22 otherwise interfere with, the movement of baggage and household goods being
23 transported under this section.

1 “(d) UNUSUAL OR EMERGENCY CIRCUMSTANCES.—A member of the uniformed services
2 or other authorized person may be provided travel and transportation allowances under this
3 section for unusual, extraordinary, hardship, or emergency circumstances, including under
4 circumstances warranting evacuation from a permanent duty assignment location.

5 “(e) PARTICULAR SEPARATION PROVISIONS.—The administering Secretary may provide
6 travel and transportation in kind for the following persons in accordance with regulations
7 prescribed under section 463 of this title:

8 “(1) A member who is retired, or is placed on the temporary disability retired list,
9 under chapter 61 of title 10.

10 “(2) A member who is retired with pay under any other law or who, immediately
11 following at least eight years of continuous active duty with no single break therein of
12 more than 90 days, is discharged with separation pay or is involuntarily released from
13 active duty with separation pay or readjustment pay.

14 “(3) A member who is discharged under section 1173 of title 10.

15 “(f) ATTENDANCE AT MEMORIAL CEREMONIES AND SERVICES.—A family member or
16 member of the uniformed services who attends a deceased member’s repatriation, burial, or
17 memorial ceremony or service may be provided travel and transportation allowances to the
18 extent provided in regulations prescribed under section 463 of this title.

19 **“§454. Travel and transportation pilot programs**

20 “(a) PILOT PROGRAMS.—Except as otherwise prohibited by law, the Secretary of Defense
21 may conduct pilot programs to evaluate alternative travel and transportation programs, policies,
22 and processes for Department of Defense authorized travelers. Such pilot programs shall be
23 conducted so as to evaluate one or more of the following:

1 “(1) Alternative methods for performing and reimbursing travel.

2 “(2) Means for limiting the need for travel.

3 “(3) Means for reducing the environmental impact of travel.

4 “(b) WAIVER AUTHORITY.—Subject to subsection (c), the administering Secretary may
5 waive any otherwise applicable provision of law to the extent determined necessary by the
6 Secretary for the purposes of carrying out a pilot program under subsection (a).

7 “(c) LIMITATION.—The authority to carry out a program under subsection (a) is subject to
8 the availability of appropriated funds.

9 “SUBCHAPTER II—ADMINISTRATIVE PROVISIONS

10 “§461. Relationship to other travel and transportation authorities

11 “A member of a uniformed service or other authorized traveler may not be paid travel
12 and transportation allowances or receive travel and transportation-in-kind, or a combination
13 thereof, under both subchapter I and subchapter III for Government official travel and
14 transportation performed under a single or related travel and transportation order or authorization
15 by the administering Secretary.

16 “§462. Travel and transportation expenses paid to members that are unauthorized or in
17 excess of authorized amounts: requirement for repayment

18 “(a) REPAYMENT REQUIRED.—Except as provided in subsection (b), a member of the
19 uniformed services or other person who is paid travel and transportation allowances under
20 subchapter I shall repay to the United States any amount of such payment that is determined to
21 be unauthorized or in excess of the applicable authorized amount.

1 “(b) EXCEPTION.—The regulations prescribed to administer this subchapter shall specify
2 procedures for determining the circumstances under which a repayment exception may be
3 granted.

4 “(c) EFFECT OF BANKRUPTCY.—An obligation to repay the United States under this
5 section is, for all purposes, a debt owed the United States. A discharge in bankruptcy under title
6 11 does not discharge a person from such debt if the discharge order is entered less than five
7 years after the date on which the debt was incurred.

8 **“§463. Regulations**

9 “‘This subchapter and subchapter I shall be administered under terms, rates, conditions,
10 and regulations prescribed by the Secretary of Defense in consultation with the other
11 administering Secretaries for members of the uniformed services. Such regulations shall be
12 uniform for the Department of Defense and shall be apply as uniformly as practicable to the
13 uniformed services under the jurisdiction of the other administering Secretaries.

14 “SUBCHAPTER III—TRAVEL AND TRANSPORTATION AUTHORITIES—OLD LAW

15 **“§471. Travel authorities transition expiration date**

16 “‘In this subchapter, the term ‘travel authorities transition expiration date’ means the last
17 day of the 10-year period beginning on the first day of the first month beginning after the date of
18 the enactment of this section.

19 **“§472. Definitions and other incorporated provisions of chapter 7**

20 “(a) DEFINITIONS.—The provisions of section 401 of this title apply to this subchapter.

21 “(b) OTHER PROVISIONS.—The provisions of sections 421 and 423 of this title apply to
22 this subchapter.

23 (c) TRANSFER OF SECTIONS.—

1 (1) TRANSFER TO SUBCHAPTER I.—Section 412 of title 37, United States Code, is
2 transferred to chapter 8 of such title, as added by subsection (b), inserted after section
3 454, and redesignated as section 455.

4 (2) TRANSFER OF CURRENT CHAPTER 7 AUTHORITIES TO SUBCHAPTER III.—Sections
5 404, 404a, 404b, 405, 405a, 406, 406a, 406b, 406c, 407, 408, 408a, 409, 410, 411, 411a
6 through 411k, 428 through 432, 434, and 435 of such title are transferred (in that order)
7 to chapter 8 of such title, as added by subsection (b), inserted after section 472, and
8 redesignated as follows:

Section:	Redesignated Section:
404	474
404a	474a
404b	474b
405	475
405a	475a
406	476
406a	476a
406b	476b
406c	476c
407	477
408	478
408a	478a
409	479
410	480
411	481
411a	481a
411b	481b
411c	481c
411d	481d
411e	481e
411f	481f
411g	481g
411h	481h
411i	481i
411j	481j
411k	481k
428	488
429	489

430	490
432	492
434	494
435	495

1 (3) TRANSFER OF SECTION 554.—Section 554 of such title is transferred to chapter
2 8 of such title, as added by subsection (b), inserted after section 481k (as transferred and
3 redesignated by paragraph (2)), and redesignated as section 484.

4 (d) SUNSET OF OLD-LAW AUTHORITIES.—Provisions of subchapter III of chapter 8 of title
5 37, United States Code, as transferred and redesignated by paragraphs (2) and (3) of subsection
6 (c), are amended as follows:

7 (1) Section 474 is amended by adding at the end the following new subsection:

8 “(h) TERMINATION.—No travel and transportation allowance or reimbursement may be
9 provided under this section for travel that begins after the travel authorities transition expiration
10 date.”.

11 (2) Section 474a is amended by adding at the end the following new subsection:

12 “(f) TERMINATION.—No payment or reimbursement may be provided under this section
13 with respect to a change of permanent station for which orders are issued after the travel
14 authorities transition expiration date.”.

15 (3) Section 474b is amended by adding at the end the following new subsection:

16 “(e) TERMINATION.—No payment or reimbursement may be provided under this section
17 with respect to an authorized absence that begins after the travel authorities transition expiration
18 date.”.

19 (4) Section 475 is amended by adding at the end the following new subsection:

20 “(f) TERMINATION.—During and after the travel authorities expiration date, no per diem
21 may be paid under this section for any period.”.

1 (5) Section 475a is amended by adding at the end the following new subsection:

2 “(c) TERMINATION.—During and after the travel authorities expiration date, no allowance
3 under subsection (a) or transportation or reimbursement under subsection (b) may be provided
4 with respect to an authority or order to depart.”.

5 (6) Section 476 is amended by adding at the end the following new subsection:

6 “(n) TERMINATION.—No transportation, reimbursement, allowance, or per diem may be
7 provided under this section—

8 “(1) with respect to a change of temporary or permanent station for which orders
9 are issued after the travel authorities transition expiration date; or

10 “(2) in a case covered by this section when such orders are not issued, with
11 respect to a movement of baggage or household effects that begins after such date.”.

12 (7) Section 476b is amended by adding at the end the following new subsection:

13 “(e) TERMINATION.—No transportation or allowance may be provided under this section
14 for travel that begins after the travel authorities transition expiration date.”.

15 (8) Section 476c is amended by adding at the end the following new subsection:

16 “(e) TERMINATION.—No transportation or allowance may be provided under this section
17 for travel that begins after the travel authorities transition expiration date.”.

18 (9) Section 477 is amended by adding at the end the following new subsection:

19 “(i) TERMINATION.—No dislocation allowance may be paid under this section for a move
20 that begins after the travel authorities transition expiration date.”.

21 (10) Section 478 is amended by adding at the end the following new subsection:

1 “(c) TERMINATION.—No travel and transportation allowance, payment, or reimbursement
2 may be provided under this section for travel that begins after the travel authorities transition
3 expiration date.”.

4 (11) Section 479 is amended by adding at the end the following new subsection:

5 “(e) TERMINATION.—No transportation of a house trailer or mobile home, or storage or
6 payment in connection therewith, may be provided under this section for transportation that
7 begins after the travel authorities transition expiration date.”.

8 (12) Section 481 is amended by adding at the end the following new subsection:

9 “(e) TERMINATION.—The regulations prescribed under this section shall cease to be in
10 effect as of the travel authorities transition expiration date.”.

11 (13) Section 481a is amended by adding at the end the following new subsection:

12 “(c) TERMINATION.—No travel and transportation allowance may be provided under this
13 section for travel that is authorized after the travel authorities transition expiration date.”.

14 (14) Section 481b is amended by adding at the end the following new subsection:

15 “(h) TERMINATION.—No travel and transportation allowance may be provided under this
16 section for travel that is authorized after the travel authorities transition expiration date.”.

17 (15) Section 481c is amended by adding at the end the following new subsection:

18 “(c) TERMINATION.—No transportation may be provided under this section after the
19 travel authorities transition expiration date, and no payment may be made under this section for
20 transportation that begins after that date.”.

21 (16) Section 481d is amended by adding at the end the following new subsection:

22 “(d) TERMINATION.—No transportation may be provided under this section after the
23 travel authorities transition expiration date.”.

1 (16) Section 481e is amended by adding at the end the following new subsection:

2 “(c) TERMINATION.—No travel and transportation allowance or reimbursement may be
3 provided under this section for travel that begins after the travel authorities transition expiration
4 date.”.

5 (17) Section 481f is amended by adding at the end the following new subsection:

6 “(h) TERMINATION.—No travel and transportation allowance or reimbursement may be
7 provided under this section for travel that begins after the travel authorities transition expiration
8 date.”.

9 (18) Section 481h is amended by adding at the end the following new subsection:

10 “(e) TERMINATION.—No transportation, allowance, reimbursement, or per diem may be
11 provided under this section for travel that begins after the travel authorities transition expiration
12 date.”.

13 (19) Section 481i is amended by adding at the end the following new subsection:

14 “(c) TERMINATION.—No reimbursement may be provided under this section for expenses
15 incurred after the travel authorities transition expiration date.”.

16 (20) Section 481j is amended by adding at the end the following new subsection:

17 “(e) TERMINATION.—No transportation, allowance, reimbursement, or per diem may be
18 provided under this section for travel that begins after the travel authorities transition expiration
19 date.”.

20 (21) Section 481k is amended by adding at the end the following new subsection:

21 “(e) TERMINATION.—No transportation, allowance, or reimbursement may be provided
22 under this section for travel that begins after the travel authorities transition expiration date.”.

23 (22) Section 484 is amended by adding at the end the following new subsection:

1 “(k) TERMINATION.—No transportation, allowance, or reimbursement may be provided
2 under this section for a move that begins after the travel authorities transition expiration date.”.

3 (23) Section 488 is amended—

4 (A) by inserting “(a) AUTHORITY.—“ before ”In addition”; and

5 (B) by adding at the end the following new subsection:

6 “(b) TERMINATION.—No reimbursement may be provided under this section for expenses
7 incurred after the travel authorities transition expiration date.”.

8 (24) Section 489 is amended—

9 (A) by inserting “(a) AUTHORITY.—“ before “In addition”; and

10 (B) by adding at the end the following new subsection:

11 “(e) TERMINATION.—No transportation or allowance may be provided under this section
12 for travel that begins after the travel authorities transition expiration date.”.

13 (25) Section 490 is amended by adding at the end the following new subsection:

14 “(g) TERMINATION.—No transportation, allowance, reimbursement, or per diem may be
15 provided under this section for travel that begins after the travel authorities transition expiration
16 date.”.

17 (26) Section 492 is amended by adding at the end the following new subsection:

18 “(c) TERMINATION.—No transportation or allowance may be provided under this section
19 for travel that begins after the travel authorities transition expiration date.”.

20 (27) Section 494 is amended by adding at the end the following new subsection:

21 “(d) TERMINATION.—No reimbursement may be provided under this section for expenses
22 incurred after the travel authorities transition expiration date.”.

23 (28) Section 495 is amended by adding at the end the following new subsection:

1 “(c) TERMINATION.—No allowance may be paid under this section for any day after the
2 travel authorities transition expiration date.”.

3 (e) TECHNICAL AND CLERICAL AMENDMENTS.—

4 (1) CHAPTER HEADING.—The heading of chapter 7 of such title is amended to read
5 as follows:

6 “**CHAPTER 7—ALLOWANCES OTHER THAN TRAVEL AND TRANSPORTATION**
7 **ALLOWANCES”.**

8 (2) TABLE OF CHAPTERS.—The table of chapter preceding chapter 1 of such title is
9 amended by striking the item relating to chapter 7 and inserting the following:

“7. Allowances Other Than Travel and Transportation Allowances401
“8. Travel and Transportation Allowances451”.

10 (3) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 7 of
11 such title is amended by striking the items relating to sections 404 through 412, 428
12 through 432, 434, and 435.

13 (4) CROSS REFERENCES.—(A) Any section of title 10 or 37, United States Code,
14 that includes a reference to a section of title 37 that is transferred and redesignated by
15 subsection (c) is amended so as to conform the reference to the section number of the
16 section as so redesignated.

17 (B) Any reference in a provision of law other than a section of title 10 or 37,
18 United States Code, to a section of title 37 that is transferred and redesignated by
19 subsection (c) is deemed to refer to the section as so redesignated.

20 **SEC. 612. TRANSITION PROVISIONS.**

21 (a) IMPLEMENTATION PLAN.—The Secretary of Defense shall develop a plan to
22 implement subchapters I and II of chapter 8 of title 37, United States Code, as added by section

1 611, and to transition all of the travel and transportation programs for members of the uniformed
2 services under chapter 7 of title 37, United States Code, solely to provisions of those subchapters
3 by the end of the transition period.

4 (b) AUTHORITY FOR MODIFICATIONS TO OLD LAW AUTHORITIES DURING TRANSITION
5 PERIOD.—During the transition period, the Secretary of Defense and the Secretaries concerned,
6 in using the authorities under subchapter III of chapter 8 of title 37, United States Code, as added
7 by section 611(b), may apply those authorities subject to the terms of such provisions and such
8 modifications as the Secretary of Defense may include in the implementation plan required under
9 subsection (a) or in any subsequent modification to that implementation plan.

10 (c) COORDINATION.—The Secretary of Defense shall prepare the implementation plan
11 under subsection (a) and any modification to that plan under subsection (b) in coordination
12 with—

13 (1) the Secretary of Homeland Security, with respect to the Coast Guard;

14 (2) the Secretary of Health and Human Services, with respect to the
15 commissioned corps of the Public Health Service; and

16 (3) the Secretary of Commerce, with respect to the National Oceanic and
17 Atmospheric Administration.

18 (d) TRANSITION PERIOD.—In this section, the term “transition period” means the 10-year
19 period beginning on the first day of the first month beginning after the date of the enactment of
20 this Act.

Section-by-Section Analysis

This proposal is comprised of two sections: Consolidation and Reform of Travel and Transportation Authorities of the Uniformed Services (Section 611) and Transition Provisions (Section 612). Taken together, the proposal would amend chapter 7, of, title 37, United States

Code, by consolidating and simplifying travel authorities into a new chapter 8, “Travel and Transportation Allowances.” The remainder of chapter 7 would stay the same (e.g. all Basic Allowance for Housing provisions remain intact).

Over the past 60 years, the existing provisions in chapter 7 have served the Department of Defense (DoD) well. However, as more and more sections were added to chapter 7 -- without considering a comprehensive view of the whole -- flexibility and clarity were lost. As a result, chapter 7 covers almost every travel situation with detailed, prescriptive, and confusing language, and the travel experience can be frustrating and confusing for travelers, approving officials, and finance personnel.

Another unintended consequence is that new legislation is required to address new travel situations. In the National Defense Authorization Act for Fiscal Year 2010, for example, three new sections were required to address travel for those caring for or attending services for wounded warriors.

Congress has also recognized that travel simplification is required. Section 1058 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84) directed the Secretary of Defense to develop a comprehensive plan to simplify defense travel with recommendations for legislative authority and administrative action. This legislative proposal results from the recommendations in the report.

Simplifying the legislative authorities and devolving broad authority for travel policy to the Secretary of Defense and the other Administering Secretaries will enable the development of more flexible, less complicated regulations to govern travel and are the foundation of defense travel transformation.

The proposed new chapter 8 is divided into three subchapters: Travel and Transportation Authorities - New Law; Administrative Provisions; and Travel and Transportation Authorities – Old Law. A key feature of this proposal is that it transitions implementation of the new authorities over a 10 year period; after which time the legacy provisions in Subchapter III would be sunsetted. Consequently, for a period of time, both new and legacy Subchapter I and III authorities would co-exist, allowing for a sequenced and logical implementation, with minimum disruption to travelers.

The legislative proposal begins with a statement of purpose and establishes the intent that defense travel be simple, efficient, relevant, flexible and meet service member needs. Such preamble language is necessary to preclude interpretation “creep” going forward.

Subchapter I contains definitions, general authorities, specific authorities, restrictions, and authority for pilot programs. All travel-related definitions are now contained in one place to provide enduring meaning and to promote a greater understanding of who may be entitled to travel and transportation allowances. Definitions are provided for two broad categories: definitions related to persons and definitions related to travel and expenses.

The term “administering secretaries” has been defined. The definition provides enduring meaning that the Secretary of Defense has oversight for the Department's travel and transportation enterprise. Similarly, definitions have been provided for authorized traveler and family member. To preserve flexibility, “family member” is broadly defined to include persons having an association or affiliation with a member of the uniformed services or the family of such a member. Consequently, non-affiliated medical attendants, cadets, etc. will be covered by this definition.

Definitions related to travel and expenses include official travel, actual and necessary expenses, personal property, per diem, etc. “Official travel” is specifically defined to include temporary duty travel, permanent change of station travel, local travel, and “other travel.”

All remaining definition contained elsewhere in title 37 are unchanged.

Subchapter I also includes general and specific allowable travel and transportation authorities. Authorities contained in Sections 452 and 453 replace the need for all the individual authorities currently in chapter 7 that cover each and every travel situation. Current authority is being replaced with broader, more flexible authority for the Secretary of Defense and other administering secretaries. The language under general authorities will allow the Department to implement a simplified travel regulatory framework that reimburses travel as either an expense, as an allowance, or “in kind.” Additionally, the legislation:

- Authorizes the Secretary of Defense to set the terms, rates, and conditions that allow members to ship or store one or more personally owned vehicles;
- Authorizes travel advances;
- Provides for unique separation and retirement provisions, unusual travel circumstances, movement of household goods, emergencies, and service members;
- Provides for adjustments when travel expenses are fully or partially paid by other governmental organization.
- Authorizes self moves
- Addresses situations when authorized travel has been canceled, revoked, or modified;
- Maintains existing prohibitions against duplicate payments by government or non-government entities.

Section 454, Travel and Transportation Pilot Programs, is a significant hallmark of travel transformation as it authorizes the Secretary of Defense to conduct pilot programs to achieve greater efficiencies and to evaluate innovative travel and transportation program, policies, and processes for performing travel. Pilot programs will allow the Department to test new concepts in a controlled environment without negatively affecting the broader DoD traveler community. The use of commercial best practices, emerging travel technologies, and off-the-shelf products to test new concepts and rule sets would provide the Department with a test environment for travel simplification, and would permit a full evaluation of alternatives by testing innovations and gathering data in a controlled environment without disrupting normal operations. Specifically, pilot programs would enable informed, data-driven business decisions.

Subchapter II contains administrative provisions that prohibit dual payments under the existing and new travel authorities; provisions for repayment of travel and transportation expenses that are unauthorized or in excess; that cover discharge of bankruptcy; and the promulgation of regulations by the Secretary of Defense in consultation with the other administering secretaries.

Subchapter III contains several important provisions. First, it contains the legacy travel authorities that are being transferred from the current chapter 7, and also moves some travel related provisions from title 10 (e.g., missing persons). It also provides for a ten year transition period, after which the current authorities are sunsetted. It prohibits the payment of travel allowances after the authority for the legacy allowance has expired. Also, Subchapter III provides for some clerical amendments that rename the remaining non-travel provisions in Chapter 7 as “Allowances Other than Travel and Transportation Allowances.”

This legislative proposal also contains a “Section 2” which includes Transition Provisions. Section 612 recognizes that a multi-pronged, incremental approach over multiple years is necessary to implement a comprehensive, transformational solution. An incremental implementation permits the Department to continue to use existing authorities. The section also includes a requirement for an implementation plan by the Secretary of Defense. Section 612 authorizes the Secretary of Defense to modify legacy provisions during the transition period.

Budget Implications: This proposal consolidates and simplifies travel authorities by moving travel-oriented definitions into chapter 7 of title 37, U.S.C . There are no budgetary implications.

Changes to Existing Law: This proposal would make the following changes:

1) Creates a new chapter 8 in title 37 that contains the following sections (as listed on pages 1-19 above):

Subchapter I – Travel and Transportation Authorities – New Law
Subchapter II – Administrative Provisions
Subchapter III – Travel and Transportation Authorities – Old Law

2) Transfers existing chapter 7 provisions (and one title 10 provision) to Subchapter III as follows:

a) Transfer of current chapter 7 authorities to subchapter III.—Sections 404, 404a, 404b, 405, 405a, 406, 406a, 406b, 406c, 407, 408, 408a, 409, 410, 411, 411a through 411k, 428 through 432, 434, and 435 are transferred (in that order)

b) Transfers section 554 of title 10 to chapter 8

c) Renames and redesignates remaining provisions of chapter 7

Renames chapter 7 as “ALLOWANCES OTHER THAN TRAVEL AND TRANSPORTATION ALLOWANCES”

Redesignates the following sections:

Section:	Redesignated Section:
404	474
404a	474a
404b	474b
405	475
405a	475a
406	476
406a	476a
406b	476b
406c	476c
407	477
408	478
408a	478a
409	479
410	480
411	481
411a	481a
411b	481b
411c	481c
411d	481d
411e	481e
411f	481f
411g	481g
411h	481h
411i	481i
411j	481j
411k	481k
428	488
429	489
430	490
432	492
434	494
435	495