

80-08892

OLC 80-1289/3

16 OCT 1980

MEMORANDUM FOR: See Distribution

FROM: Frederick P. Hitz  
Legislative Counsel

SUBJECT: P.L. 96-346, Per Diem Travel Allowances

REFERENCE: OLC 80-1289 (12 June 1980)

1. Attached for your information is P.L. 96-346, which amends 5 U.S.C. 5702 and 5704 to increase the maximum rates for per diem, actual subsistence expenses, and mileage allowances.

2. This legislation derives from H.R. 7072, the subject of Reference, which discussed the Agency's authorities in Section 6 of the CIA Act of 1949 and subsection 102(d)(3) of the National Security Act of 1947 in connection with the legislation's provisions on information requests by GSA.

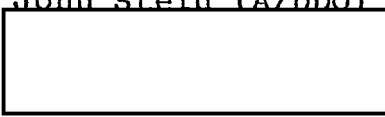


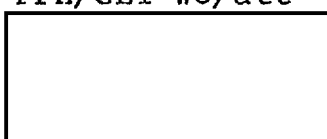


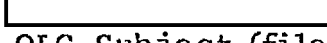
3. A statement concerning the impact of this legislation on Agency authorities and practices will be forthcoming from the Office of General Counsel.

  
Frederick P. Hitz

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## Attachment

## Distribution

1 - Edward Sherman (D/OF) w/att  
 1 - John Stein (A/DDO) w/att  
 ① -  (OGC) w/att  
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 1 - FPH/GLT wo/att  
 1 -  EXO/DDA) w/att  
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 1 -  SSA/DDA) w/att  
 1 -  SA/DDA) w/att  
 1 - OLC Subject (filed in Federal Employee Benefits)  
 1 - OLC Chrono  
 OLC:GMC:sf (15 October 1980)

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PUBLIC LAW 96-346—SEPT. 10, 1980

PER DIEM TRAVEL ALLOWANCES

94 STAT. 1148

PUBLIC LAW 96-346—SEPT. 10, 1980

Public Law 96-346  
96th Congress

An Act

Sept. 10, 1980  
[H.R. 7072]

Government  
travel expense  
allowances,  
increase.

To amend sections 5702 and 5704 of title 5, United States Code, to increase the maximum rates for per diem and actual subsistence expenses and mileage allowances of Government employees on official travel, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 5702 of title 5, United States Code, is amended—

- (1) by striking out "\$35" in subsection (a) and inserting in lieu thereof "\$50";
- (2) by striking out "\$50" in subsection (c) and inserting in lieu thereof "\$75"; and
- (3) by striking out "\$21" in subsection (d) and inserting in lieu thereof "\$33".

SEC. 2. Section 5704 of title 5, United States Code, is amended—

- (1) by striking out "11 cents" in subsection (a)(1) and inserting in lieu thereof "20 cents";
- (2) by striking out "20 cents" in subsection (a)(2) and inserting in lieu thereof "25 cents"; and
- (3) by striking out "24 cents" in subsection (a)(3) and inserting in lieu thereof "45 cents".

5 USC 5702 note.

SEC. 3. To make available to Congress information in order that it may evaluate and reduce excessive per diem and mileage allowance payments:

GSA-conducted  
travel survey.

(a) The Administrator of General Services shall, based upon a sampling survey, collect by fiscal year the following information (compiled separately for payments made under sections 5702 and 5704 of title 5, United States Code, and for each agency evaluated) with respect to agencies spending more than \$5,000,000 annually on transportation of people:

- (1) identification of the general causes and purposes of travel, both foreign and domestic, estimates of total payments, average cost and duration of trip, and an explanation of how these estimates were determined; and
- (2) identification by specific agency of travel practices which appear to be inefficient from a travel management or program management standpoint and recommendations to the Congress on the applicability of alternatives to travel as well as other techniques to improve the use of travel in carrying out program objectives by relating travel to mission.

Report to  
Congress.

(b)(1) The Administrator shall report the information required by subsection (a) to the Congress for fiscal year 1979 by February 1, 1981; for fiscal year 1980 by June 1, 1981; and for fiscal year 1981 by June 1, 1982.

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(2) The Administrator is empowered to issue such rules and regulations as are necessary to ensure that the information is submitted by the various agencies to him in a manner that permits comparisons among the agencies and to permit him to compile the information required to be included in the annual report.

Rules and  
regulations.

Approved September 10, 1980.

**LEGISLATIVE HISTORY:**

HOUSE REPORT No. 96-1021 (Comm. on Government Operations).  
SENATE REPORT No. 96-904 (Comm. on Governmental Affairs);  
CONGRESSIONAL RECORD, Vol. 126 (1980):  
June 9, considered and passed House.  
Aug. 27, considered and passed Senate.

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