

Calendar No. 40

115TH CONGRESS }
1st Session }

SENATE

{ REPORT
115-31

MODERNIZING GOVERNMENT TRAVEL ACT

R E P O R T

OF THE

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

TO ACCOMPANY

H.R. 274

TO PROVIDE FOR REIMBURSEMENT FOR THE USE OF MODERN
TRAVEL SERVICES BY FEDERAL EMPLOYEES TRAVELING ON OF-
FICIAL GOVERNMENT BUSINESS, AND FOR OTHER PURPOSES



APRIL 24, 2017.—Ordered to be printed

U.S. GOVERNMENT PUBLISHING OFFICE

69-010

WASHINGTON : 2017

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Mr. JOHNSON, from the Committee on Homeland Security and
Governmental Affairs, submitted the following

R E P O R T

[To accompany H.R. 274]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security and Governmental Affairs, to which was referred the bill (H.R. 274) to provide for reimbursement for the use of modern travel services by Federal employees traveling on official Government business, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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I. PURPOSE AND SUMMARY

H.R. 274, the Modernizing Government Travel Act, requires the General Services Administration (GSA) to allow Federal employees traveling on official business to be reimbursed for the use of a transportation network company or an innovative mobility technology company the same as the employee would be reimbursed for a traditional mode of transportation like a train or taxi cab.

II. BACKGROUND AND THE NEED FOR LEGISLATION

A Federal employee traveling on official business is reimbursed for certain travel expenses through the Federal Travel Regulation (FTR) by the General Services Administration (GSA). The FTR interprets statutory and other policy requirements to ensure official travel is efficient and minimizes administrative costs, and that the policies are communicated in a clear manner to Federal agencies and employees.¹ GSA has historically reimbursed Federal employees for official travel on traditional modes of transportation like a train or taxi cab.

Recent innovation in the transportation sector has made available additional transportation options, like innovative mobility technology companies. These private ridesharing services are examples of the innovative transportation services that allow customers the option of sharing rides, and can reduce the cost of travel. Until recently, Federal employees have lacked certainty about whether they can access these platforms for official travel.

Recognizing the need to expand the choices of transportation for Federal employees, GSA issued a bulletin on July 27, 2016, that provided guidance to Federal agencies subject to the FTR that clarified that Federal employees can be reimbursed for official business travel using transportation network companies.² This bill codifies and reinforces GSA's existing policy to give certainty to agency officials regarding what types of travel can be reimbursed.

III. LEGISLATIVE HISTORY

Representative Seth Moulton introduced H.R. 274 on January 4, 2017. The bill passed the U.S. House of Representatives by voice vote on January 10, 2017, and was referred to the Committee on Homeland Security and Governmental Affairs.

The Committee considered H.R. 274 at a business meeting on March 15, 2017. The Committee ordered the bill reported favorably *en bloc* by voice vote. Members present for the vote were Senators Johnson, Portman, Lankford, Daines, McCaskill, Carper, Tester, Heitkamp, Peters, Hassan, and Harris.

IV. SECTION-BY-SECTION ANALYSIS OF THE BILL, AS REPORTED

Section 1. Short title

This section provides the bill's short title, the "Modernizing Government Travel Act."

Section 2. Federal employee reimbursement for use of modern travel services

Subsection (a) states that GSA will prescribe regulations to provide reimbursement for the use of a transportation network company or innovative technology company by any Federal employee traveling on official business.

¹ General Services Administration, *Federal Travel Regulation (FTR)* (Jan 10, 2017), available at <https://www.gsa.gov/portal/content/104790> (last visited March 28, 2017).

² General Services Administration, *Federal Travel Regulation GSA Bulletin FTR 16-05* (July 27, 2016), available at https://www.gsa.gov/portal/mediaId/141218/fileName/FTR_Bulletin_16-05_Reimbursement_for_Use_of_Transportation_Network_Companies_While_on_Official_Travel.action (last visited March 28, 2017).

Subsection (b) defines the terms “innovative mobility technology company and transportation network company”.

Section 3. Report on transportation costs

This section requires the GSA Administrator to report on transportation costs for total agency payments for travel and transportation of people, employee relocation, and analysis on the total costs of transportation service by type. The report shall be provided to the Director of the Office of Management and Budget, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate.

V. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill and determined that the bill will have no regulatory impact within the meaning of the rules. The Committee agrees with the Congressional Budget Office’s statement that the bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

VI. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

MARCH 27, 2017.

Hon. RON JOHNSON,
Chairman, Committee on Homeland Security and Governmental Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 274, the Modernizing Government Travel Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

KEITH HALL.

Enclosure.

H.R. 274—Modernizing Government Travel Act

H.R. 274 would amend federal laws to allow federal employees who use transportation network companies when travelling on official business to be reimbursed for official travel expenses obtained through such companies. Examples of those companies would include Uber, Lyft, and bike-share providers. Under the act the General Services Administration (GSA) and agencies would provide annual reports on the cost of government transportation.

GSA recently issued a bulletin that provides guidance for agencies on using transportation network companies. In addition, GSA has an online tool for travel reporting that agencies can use to track their travel expenses. Because most of the act’s requirements are being implemented under current law, CBO estimates that implementing H.R. 274 would cost less than \$500,000.

Enacting H.R. 274 also could affect direct spending by agencies not funded through annual appropriations; therefore, pay-as-you-go

procedures apply. CBO estimates, however, that any net increase in spending by those agencies would be negligible. Enacting H.R. 274 would not affect revenues.

CBO estimates that enacting H.R. 274 would not increase direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 274 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was approved by H. Samuel Papenfuss, Assistant Director for Budget Analysis.

VII. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by H.R. 274 as reported are shown as follows (existing law proposed to be omitted is enclosed in brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

UNITED STATES CODE

* * * * *

TITLE 5—GOVERNMENT ORGANIZATION AND EMPLOYEES

* * * * *

Subtitle III—Employees

* * * * *

Subpart D—Pay and Allowances

* * * * *

CHAPTER 57—TRAVEL, TRANSPORTATION, AND SUBSISTENCE

* * * * *

Subchapter 1—Travel and Subsistence Expenses; Mileage Allowances

* * * * *

SEC. 5707. REGULATIONS AND REPORTS.

(a) * * *

(b) * * *

(c)

(1) Not later than November 30 of each year, the head of each agency shall submit to the Administrator of General Serv-

ices, in a format prescribed by the Administrator and approved by the Director of the Office of Management and Budget—

(A) data on total agency payments for such items as travel and transportation of people, average costs and durations of trips, and purposes of official travel;

(B) data on estimated total agency payments for employee relocation; and

(C) an analysis of the total costs of transportation service by type, and the total number of trips utilizing each transportation type for purposes of official travel.

(2) The Administrator of General Services shall make the data submitted pursuant to paragraph (1) publicly available upon receipt.

(3) Not later than January 31 of each year, the Administrator of General Services shall submit to the Director of the Office of Management and Budget, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate—

(A) an analysis of the data submitted pursuant to paragraph (1) for the agencies listed in section 901(b) of title 31 and a survey of such data for each other agency; and

(B) a description of any new regulations promulgated or changes to existing regulations authorized under this section.

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