

TITLE 5 - GOVERNMENT ORGANIZATION AND EMPLOYEES

PART III - EMPLOYEES

Subpart D - Pay and Allowances

CHAPTER 57 - TRAVEL, TRANSPORTATION, AND SUBSISTENCE

SUBCHAPTER I - TRAVEL AND SUBSISTENCE EXPENSES; MILEAGE ALLOWANCES

§ 5707a. Adherence to fire safety guidelines in establishing rates and discounts for lodging expenses

- (a) (1) For the purpose of making payments under this chapter for lodging expenses incurred in a State, each agency shall ensure that not less than 90 percent of the commercial-lodging room nights for employees of that agency for a fiscal year are booked in approved places of public accommodation.
- (2) Each agency shall establish explicit procedures to satisfy the percentage requirement of paragraph (1).
- (3) An agency shall be considered to be in compliance with the percentage requirement of paragraph (1) until September 30, 2002, and after that date if travel arrangements of the agency, whether made for civilian employees, members of the uniformed services, or foreign service personnel, are made through travel management processes designed to book commercial lodging in approved places of public accommodation, whenever available.
- (b) Studies or surveys conducted for the purposes of establishing per diem rates for lodging expenses under this chapter shall be limited to approved places of public accommodation. The provisions of this subsection shall not apply with respect to studies and surveys that are conducted in any jurisdiction that is not a State.
- (c) The Administrator of General Services may not include in any directory which lists lodging accommodations any hotel, motel, or other place of public accommodation that is not an approved place of public accommodation.
- (d) The Administrator of General Services shall include in each directory which lists lodging accommodations a description of the access and safety devices, including appropriate emergency alerting devices, which each listed place of public accommodation provides for guests who are hearing-impaired or visually or physically handicapped.
- (e) The Administrator of General Services may take any additional actions the Administrator determines appropriate to facilitate the ability of employees traveling on official business to stay at approved places of public accommodation.
- (f) For purposes of this section:
- (1) The term “agency” does not include the government of the District of Columbia.
- (2) The term “approved places of public accommodation” means hotels, motels, and other places of public accommodation that are listed by the Administrator of the Federal Emergency Management Agency as meeting the requirements of the fire prevention and control guidelines described in section 29 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2225).
- (3) The term “State” means any State, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Trust Territory of the Pacific Islands, the Virgin Islands, Guam, American Samoa, or any other territory or possession of the United States.

(Added Pub. L. 101–391, § 4(a), Sept. 25, 1990, 104 Stat. 749; amended Pub. L. 105–85, div. A, title XI, § 1107(a)–(c), Nov. 18, 1997, 111 Stat. 1924, 1925; Pub. L. 109–295, title VI, § 612(c), Oct. 4, 2006, 120 Stat. 1410.)

Amendments

1997—Subsec. (a). Pub. L. 105–85, § 1107(a)(2), added subsec. (a). Former subsec. (a) redesignated (b).

Subsec. (b). Pub. L. 105–85, § 1107(c)(1), substituted “approved places of public accommodation” for “places of public accommodation that meet the requirements of the fire prevention and control guidelines described in section 29 of the Federal Fire Prevention and Control Act of 1974” and struck out “as defined in section 4 of the Federal Fire Prevention and Control Act of 1974” after “that is not a State”.

Pub. L. 105–85, § 1107(a)(1), redesignated subsec. (a) as (b). Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 105–85, § 1107(c)(2), substituted “is not an approved place of public accommodation” for “does not meet the requirements of the fire prevention and control guidelines described in section 29 of the Federal Fire Prevention and Control Act of 1974”.

Pub. L. 105–85, § 1107(a)(1), redesignated subsec. (b) as (c). Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 105–85, § 1107(a)(1), redesignated subsec. (c) as (d). Former subsec. (d) redesignated (e).

Subsec. (e). Pub. L. 105–85, § 1107(c)(3), substituted “facilitate the ability of” for “encourage” and “approved places of public accommodation” for “places of public accommodation that meet the requirements of the fire prevention and control guidelines described in section 29 of the Federal Fire Prevention and Control Act of 1974”.

Pub. L. 105–85, § 1107(a)(1), redesignated subsec. (d) as (e).

Subsec. (f). Pub. L. 105–85, § 1107(b), added subsec. (f).

Change of Name

“Administrator of the Federal Emergency Management Agency” substituted for “Director of the Federal Emergency Management Agency” in subsec. (f)(2) on authority of section 612(c) of Pub. L. 109–295, set out as a note under section 313 of Title 6, Domestic Security. Any reference to the Administrator of the Federal Emergency Management Agency in title VI of Pub. L. 109–295 or an amendment by title VI to be considered to refer and apply to the Director of the Federal Emergency Management Agency until Mar. 31, 2007, see section 612(f)(2) of Pub. L. 109–295, set out as a note under section 313 of Title 6.

Effective Date

Section 4(c) of Pub. L. 101–391 provided that: “The amendments made by this section [enacting this section] shall take effect 60 days after the date of the publication in the Federal Register [Nov. 24, 1992, 57 F.R. 55314] of the master list of certified places of public accommodation maintained by the Director [now Administrator] of the Federal Emergency Management Agency pursuant to section 28(b) of the Federal Fire Prevention and Control Act of 1974 [15 U.S.C. 2224 (b)] (as added by section 3 of this Act).”

Termination of Trust Territory of the Pacific Islands

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.