

TRANSPORTATION BENEFIT POLICY
FOR NOAA EMPLOYEES USING PUBLIC TRANSPORTATION
IN THE METROPOLITAN WASHINGTON AREA
AND FIELD

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SECTION 1. PURPOSE

This notice provides policies and procedures for the National Oceanic and Atmospheric (NOAA) Transportation Subsidy Benefit Program (NTSBP) and those NOAA employees using mass transportation.

SECTION 2. OBJECTIVES

The objectives of the NTSBP are the as follows:

- to improve air quality by reducing petroleum-product consumption and traffic congestion quality;
- to retain current NOAA employees; and
- to aid in the recruitment of new NOAA employees.

SECTION 3. BACKGROUND AND AUTHORITIES

1. Title 5, section 7905 (Pub. L .No. 103-172) authorizes Federal agencies to establish programs to encourage employees to use means of transportation other than single-occupancy vehicles to commute to and from work. This may include employer-subsidized transit passes for mass transportation or non-monetary benefits such as storage lockers and shower facilities for bicyclists.

2. Federal agency participation in a fare subsidy program under this statute is voluntary. The statute does not prescribe any monetary limit on agency subsidies. The Internal Revenue Code allows qualified transportation fringe benefits (such as fare subsidies), on a tax-free basis, for employees who commute by mass transportation or a commuter highway vehicle.
3. Currently, the following laws apply to fare subsidy programs:
 - a. Public Law 103-172, Federal Clean Air Incentives Act, Title 5 U.S.C. Section 7905;
 - b. Public Law 102-486, Energy Policy Act, Title 26 U.S.C. Section 132; and
 - c. Public Law 105-178, Transportation Equity Act, Title 5 U.S.C. 7905(b)

SECTION 4. DEFINITIONS

1. “Employee” means any official or employee of the Department, as defined under section 2105 of Title U.S.C., and members of the NOAA Corps. This program does not include contractors.
2. “Mass Transportation” means transportation systems available to the general public such as subways, buses, ferries, or commuter rail systems. It includes commuter highway vehicles (e.g., van pools) if the seating capacity is at least six adults, not including the driver, and 80 percent of the mileage is used for transporting employees between their residences and places of employment.
3. “Fare subsidy” means providing “fare media” to employees at no cost to them.
4. “Fare media” means a ticket, pass, or farecard entitling riders to transportation or a voucher which may be exchanged only for a ticket, pass, or farecard. It does not include cash payments nor is it to be used to pay for Parking.

SECTION 5. POLICY

1. The Department of Commerce, National Oceanic and Atmospheric Administration supports and encourages the use of mass transportation by its employees in commuting to and from work.
2. An employee may not receive the transportation fare benefit simultaneously with another form of transportation benefit, such as subsidized parking.
3. Fare media cards are not transferable and are to be used only for the commute to and from work. Giving or selling fare cards to other individuals is prohibited, even if the other individuals are eligible to receive fare media cards.
4. Under the Privacy Act Statement the information that is solicited for the application is

found under the authority of 5 U.S.C. Sections 301 and 7905. Furnishing the information on this form is voluntary, but failure to do so may result in disapproval of your request for a public transit fare benefit. The purpose of this information is to facilitate timely processing of your request, to ensure your eligibility, and to prevent misuse of the fund involved. This information will be provided to the Department of Transportation for processing benefits. This information will be matched with lists at other Federal agencies to ensure that you are not listed as a carpool or vanpool participant or a holder of any other form of vehicle work site parking permit with the Department of Commerce/NOAA or any other Federal or County agency. The certification of the application concerns a matter within the jurisdiction of an agency of the United States and making a false, fictitious, or fraudulent certification may render the maker subject to criminal prosecution under Title 18, United States Code, Section 1001, civil penalty action providing for administrative recoveries of up to \$5000 per violation, and/or agency disciplinary actions up to and including dismissal.

5. It is mandatory for all participants in the transit program be in Metropolitan area or field to Recertify once a year. This also include participants using yearly passes and SF-1164.

SECTION 6. RESPONSIBILITIES

The Office of the Chief Administrative Officer is responsible for the following:

1. Providing oversight of the NTSBP;
2. Generating and furnishing reports required by internal and external organizations;
3. Developing and implementing procedures to assure that funds, property, and other program assets are properly accounted for and safeguarded against fraud, waste, and abuse;
4. Providing oversight to the tracking of the number of fare media benefits issued to employees and the funds expended in the Program; and
5. Ensuring that Program participation is limited to eligible NOAA civil service employees and the NOAA Corps.

SECTION 6A. RESPONSIBILITIES FOR POINT OF CONTACT (POC)

The Line/Staff/Program Offices (LO/SO/PO) are responsible for appointing one POC for their area. The POC will perform the following:

1. Provide oversight of the NTSBP by notifying the NOAA Manager when their employees retire, transfer, or leave the agency;
2. Ensure that correct forms are being used and complete. (PIN #, Mode of commuting signatures, what Line/Staff Office they are with, dollar amount, worksheet, etc)

3. Provide guidance and assistance to clients with Transit questions pertaining to the operations and procedures of the program;
4. Provide quarterly disbursement reports not including the usage of the fare media, such as the Form SF-1164 for Reimbursement to the NOAA Manager for NTSBP;
5. Edit Transit Benefit Detail Reports for their Office and submit to the NOAA Manager for NTSBP;
6. Provide oversight for safeguarding against fraud, waste, and abuse; and
7. Ensure that Program participation is limited to eligible NOAA civil service employees and the NOAA Corps.

The LO/SO/PO may also appoint as many POC's within their LO/SO/PO to support their lead POC.

SECTION 7. LIMITATIONS AND PENALTIES

1. Employees who benefit in the use of subsidized parking supplied by NOAA , other federal agencies, or other monetary benefits related to commuting are not eligible for subsidies.
2. The value of a benefit to an individual employee under a program established under the provisions of this Notice may not exceed the lesser of either the employee's total commuting expenses per month or the maximum allowed by law.
3. Employees may only use the NTFBP for their commute to and from work via mass transportation.

SECTION 8. REQUIREMENTS FOR PARTICIPATION AND PROGRAM MANAGEMENT

A separate document entitled "Transportation Benefit Program Operating Plan for NOAA Employees Using Mass Transportation in the Metropolitan Washington Area and Field" outlines requirements for participation in and management of NOAA's program.

SECTION 9. EFFECTIVE DATE

This Notice is effective immediately.