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# 5 U.S. Code § 4109 - Expenses of training

U.S. Code

Notes

Authorities (CFR)

**(a)** The head of an agency, under the regulations prescribed under section 4118(a)(8) of this title and from appropriations or other funds available to the agency, may—

**(1)** pay all or a part of the pay (except overtime, holiday, or night differential pay) of an employee of the agency selected and assigned for training under this chapter, for the period of training; and

**(2)** pay, or reimburse the employee for, all or a part of the necessary expenses of the training, without regard to section 3324(a) and (b) of title 31, including among the expenses the necessary costs of—

- (A)** travel and per diem instead of subsistence under subchapter I of chapter 57 of this title or, in the case of commissioned officers of the National Oceanic and Atmospheric Administration, sections 405 and 452 of title 37, and the Joint Travel Regulations for the Uniformed Services;
- (B)** transportation of immediate family, household goods and personal effects, packing, crating, temporarily storing, draying, and unpacking under section 5724 of this title or, in the case of commissioned officers of the National Oceanic and Atmospheric Administration, sections 452 and 453(c) of title 37, and the Joint Travel Regulations for the Uniformed Services, when the estimated costs of transportation and related services are less than the estimated aggregate per diem payments for the period of training;
- (C)** tuition and matriculation fees;
- (D)** library and laboratory services;
- (E)** purchase or rental of books, materials, and supplies; and
- (F)** other services or facilities directly related to the training of the employee.

- (b)** The expenses of training do not include membership fees except to the extent that the fee is a necessary cost directly related to the training itself or that payment of the fee is a condition precedent to undergoing the training.
- (c)** Notwithstanding subsection (a)(1) of this section, the Administrator, Federal Aviation Administration, may pay an individual training to be an air traffic controller of such Administration, and the Secretary of Defense may pay an individual training to be an air traffic controller of the Department of Defense, during the period of such training, at the applicable rate of basic pay for the hours of training officially ordered or approved in excess of forty hours in an administrative workweek.

- (d)** Notwithstanding subsection (a)(1), a firefighter who is subject to section 5545b of this title shall be paid basic pay and overtime pay for the firefighter's regular tour of duty while attending agency sanctioned training.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 436; Pub. L. 90-83, § 1(4), Sept. 11, 1967, 81 Stat. 196; Pub. L. 96-54, § 2(a)(19), Aug. 14, 1979, 93 Stat. 382; Pub. L. 97-258, § 3(a)(9), Sept. 13, 1982, 96 Stat. 1063; Pub. L. 97-276, § 151(a), Oct. 2, 1982, 96 Stat. 1200; Pub. L. 98-224, § 5(b)(2), Mar. 2, 1984, 98 Stat. 48; Pub. L. 98-525, title XV, § 1537(a), Oct. 19, 1984, 98 Stat. 2635; Pub. L. 102-378, § 2(17), Oct. 2, 1992, 106 Stat. 1347; Pub. L. 105-

277, div. A, § 101(h) [title VI, § 628(c)], Oct. 21, 1998, 112 Stat. 2681–480, 2681–521; Pub. L. 112–81, div. A, title VI, § 631(f)(4)(B), Dec. 31, 2011, 125 Stat. 1465; Pub. L. 112–239, div. A, title X, § 1076(a)(9), Jan. 2, 2013, 126 Stat. 1948; Pub. L. 117–263, div. A, title VI, § 626(b)(1), Dec. 23, 2022, 136 Stat. 2628.)



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