



# ICE TRANSIT SUBSIDY PROGRAM FREQUENTLY ASKED QUESTIONS (FAQ's)

## **1. What is the Transportation Subsidy Program?**

The Transportation Subsidy Program is a program of financial incentives designed to encourage employees to use mass transit for commuting to and from work.

The Transportation Subsidy Program originated with the Federal Employees Clean Air Incentives Act of 1993, (P.L. 103-72), and was later expanded to include a pre-tax provision, after the Transportation Equity Act for the 21st Century (P.L. 105-178) was passed.

In April, 2000, Executive Order 13150 mandated that all Federal agencies in the National Capital Region (NCR) implement a Transportation Subsidy Program by October 1, 2000. U.S. Immigration and Customs Enforcement (ICE) has adopted the policy and made the Transportation Subsidy Program available to all qualifying ICE employees nationwide.

## **2. Who is eligible for this program?**

All federal employees who incur qualifying transportation expenses and are not receiving federally subsidized workplace parking benefits from ICE or any other federal agency, are eligible to participate in this program. Non-paid interns may also receive benefits. (Exception: see Q&A #'s 8 & 9).

## **3. How do I apply?**

You must go to [www.transerve.dot.gov](http://www.transerve.dot.gov) to register. You establish an account and complete all the necessary fields. You must also complete the ICE Transit Subsidy Integrity Awareness course on Virtual University, <https://vu.ice.dhs.gov/>. HQ participants using the SmartTrip® card must register the card at [www.wmata.com](http://www.wmata.com) and as well as visit [http://www.wmata.com/rider\\_tools/tripplanner/tripplanner\\_form\\_solo.cfm](http://www.wmata.com/rider_tools/tripplanner/tripplanner_form_solo.cfm) to obtain the cost for your daily commute.

## **4. What are qualifying transportation expenses?**

Qualifying transportation expenses are defined in the Internal Revenue Code (26 U.S.C. Section 132-9), and include:

- Use of mass transit facilities (subway, rail, bus) or other similar public transportation mode.
- Use of a Commuter Highway Vehicle (having a seating capacity of at least 6 adults not including the driver), and which is used for transporting employees to and from work for at least 80% of the mileage. Vanpools would typically satisfy the criteria for vehicles of this type – while carpools would not (see Q&A # 8 for additional requirements).

## **5. Are parking expenses considered a qualifying transportation expense in the Transportation Subsidy Program?**

No. Parking expenses are not covered by the Transportation Subsidy Program and must not be included in your estimated monthly commuting costs.

## **6. May I participate in the Transportation Subsidy Program if I carpool to work?**

No. There is no provision in existing statutes to reimburse employees for carpooling expenses (see Q&A # 4 for qualifying transportation expenses).

## **7. May I participate in the Transportation Subsidy Program if I use qualifying public transportation less than 5 days per week?**

Yes, providing that you have an established commuting pattern, which may consist of using a vanpool and/or public transportation on a regular basis. Occasional or sporadic use of public transportation does not qualify.

**8. Are vanpool riders eligible to participate in the Transportation Subsidy Program?**

Yes, providing that:

- The vanpool vehicle meets the IRS criteria for a Commuter Highway Vehicle (see Q&A #4); and
- The vanpool is registered with the local transportation authority and accepts transit passes as payment.

**9. Is the vanpool owner/operator eligible to participate in the Transportation Subsidy Program?**

No. However, the vanpool owner/operator is eligible for the federally subsidized parking space, if the space is assigned by ICE, consistent with established parking policy.

**10. Is the value of the Transportation Subsidy Program transit passes I receive taxable?**

No. Transit subsidy is a non-taxable employee benefit.

**11. What is the maximum number of days per month for calculating my monthly commuting expenses?**

The maximum, which is consistent with DOT policy, is 21 days. If your qualifying transportation expenses are less than 21 days, (i.e., excluding Flexible Work Schedule day off and Telecommuting days) then calculate your daily expenses by the actual number of commuting days.

**12. How do I account for my transit benefits when I have been on official travel, training, leave or did not commute using qualified modes of transportation all the days that I indicated on my Transportation Subsidy Application?**

If you receive your benefit on a quarterly basis, you MUST deduct any days you were on leave, official travel, and/or training status when you receive your next quarterly benefit distribution. For example, if you received \$345 in benefit on a quarterly basis, you would subtract 3 days for travel, 3 days for leave, and 4 days of using the "SLUG" lines, and your next quarterly pick up would be \$300 because you MUST deduct \$45 for the days you did NOT use qualified mode(s) of transportation to travel to and from work.

**SmartBenefits®** Program participants, all unused transit subsidy benefits will be automatically credited back to ICE on the last day of the month.

**TRANServe debit card** participants, all unused transit subsidy benefits will be automatically credited back to ICE on the 9<sup>th</sup> of each month.

**13. If I am a new employee, should I wait for the start of a new distribution period before signing up?**

No. You can sign up at any time, and your benefits will be effective from the date DOT processes your application.

**14. What do I need to do in order to pick up my transit passes at the quarterly distribution for ICE? (Field Employees)**

In addition to being enrolled in the Transportation Subsidy Program, you must present your ICE identification badge to the DOT agent or your local Transit Subsidy coordinator, respectively and sign a Transit Subsidy Certification form.

**15. How may I receive my transit passes if I miss the quarterly distribution date? (Field Employees)**

You must contact your local Transit Subsidy Coordinator to have your transit subsidy benefits mailed and distributed by your Transit Subsidy coordinator.

**16. Am I allowed temporary parking while enrolled in the Transportation Subsidy Program?**

You are NOT allowed to have a federally-subsidized parking space while enrolled in the Transportation Subsidy Program. Employees who travel to work in a single occupancy vehicle, carpool, airplane, or any vehicle other than mass transit are not eligible for transit benefit.

**17. When I leave ICE, what do I do with my unused transit passes?**

You are required to return the unused transit passes to your local Transit Subsidy coordinator. Participants are not to accumulate fare media in excess of their actual monthly commuting costs. Benefit may be issued in advance of the time period they will be used, with the stipulation that unused benefits are deducted from those required for the following month. TRANServe debit cards must be returned to your Transit Subsidy Coordinator. SmartTrip® Card participants are not required to return the SmartTrip® card since it was purchased with your personal funds. However, any unused benefits on your card at the time of your departure will be credited back to ICE.

**18. What are the requirements for participating in the SmartBenefits® SmartTrip® Card Program? (HQ Employees Only)**

All Federal employees who participate in the Transportation Subsidy Program, and use ALL of their benefits on Metrorail, Metrobus, PRTC, Cue, Fairfax Connector, Ride On or DASH can participate in the SmartBenefits® Program.

**19. Is it important to register your SmartTrip® ® card? (HQ Employees Only)**

Yes! Without a registered SmartTrip® ® card, there is no way to apply your benefit to your SmartTrip® ® account. Participants must provide the serial number of a WMATA Registered SmartTrip® ® Card when applying for SmartBenefits®. If you have not registered your card or are unsure that it is registered, you must do so online at: <https://SmartTrip®.wmata.com/Registration/Register.aspx>. In addition, registering your card allows WMATA to transfer your benefits from your old card to your new SmartTrip® ® Card if your card becomes lost, stolen or damaged.

**20. Does DOT need my authorization to verify my information in the Transit Subsidy Program?**

All Federal employees who participate in the Transit Program must authorize the Department of Transportation (DOT) to verify the accuracy of the name, last four digits of their social security number, registered SmartTrip® ® Card and/or the TRANServe debit card numbers.

**21. When participating in the SmartBenefits® Program how often may I get my Transportation Subsidy Benefit? (HQ Employees Only)**

SmartBenefits® are autoloaded the 1<sup>st</sup> of each month into your SmartTrip® ® Card account. There is no need to visit the metro fare machines, unless you are adding personal funds to your SmartTrip® ® Card. SmartBenefits® not claimed by the last day of the month are automatically credited back to ICE.

**22. What happens if my SmartTrip® card or TRANServe debit card is lost, stolen, or damaged?**

The SmartTrip® ® card can be replaced without losing any of the fare value on the card at the time reported missing with a simple phone call to WMATA at (888) 762-7874, by providing the number of the missing card and paying a \$5.00 replacement fee using your own personal money. Your transit subsidy CANNOT be used to purchase a replacement SmartTrip® ® card. You must also go to <https://SmartTrip®.wmata.com/Registration/Register.aspx> to register your new SmartTrip® ® card. In addition, you must go to [www.transerve.dot.gov](http://www.transerve.dot.gov) and submit a request for SmartTrip® card replacement. TRANServe debit card holders must call J.P. Morgan at 1-866-891-6951 or visit [www.ucard.chase.com](http://www.ucard.chase.com) to have your card cancelled and request a replacement card. The card will be sent to the ICE Transit Subsidy Office or your local Transit Coordinator.

**23. May my SmartBenefits® be used for parking? (HQ Employees Only)**

You CANNOT use Transit Benefits added to a SmartTrip® ® card to pay for parking at Metrorail parking lots. A good idea would be to add extra personal money to your SmartTrip® ® card to cover the parking fees. It is against Transit Program Rules to include any amount you spend on parking, so DO NOT include parking costs in your monthly estimate for transit expenses.

**24. Can you be automatically withdrawn from the Transit Subsidy Program?**

Yes. If you do not claim your benefits for three (3) consecutive months, Department of Transportation has been authorized to remove you from the enrollment. You must reapply to receive transit benefits.

**25. If I am a senior citizen or disabled Metro rider, do I need to do anything differently to join SmartBenefits®? (HQ Employees Only)**

Yes. You must purchase a Senior Citizen or Disabled SmartTrip® card with a valid Metro ID before enrolling in the SmartBenefits® Program, and register the card. The Senior Citizen or Disabled SmartTrip® cards are encoded to charge the discounted fare.

**26. How and when can I purchase my Maryland Commuter bus pass with commuterdirect.com?**

You must use the TRANServe debit card to purchase your bus pass online with commuterdirect.com, at the Commuter Store or the Mobile Store. You can purchase your bus pass anytime online with commuterdirect.com. However, for renewable orders, you must purchase online by the 25<sup>th</sup> of each month or the 21<sup>st</sup>, if it's a holiday. Please visit <http://www.commuterpage.com/pages/tools-resources/commuter-store-commuter-direct/> for store locations and mobile store schedule.

**27. What do I need to do if my home or work address changes, or if the number of days per week I commute to work using qualifying transportation changes?**

You must go to [www.Transerve.dot.gov](http://www.Transerve.dot.gov) and request a change to your information.

**28. Am I allowed to use (spend) my transit benefits in excess of my qualified monthly commuting costs?**

No. You may not, in any given month, use more of your transit benefits than the amount of your qualified monthly commuting expenses. You must use your own funds for any transportation costs in excess of that amount rather than using the Government-provided transit benefits intended for use in a future month or the remainder of the current month.

**29. What happens to me if I fail to comply with the exit clearance procedures?**

You will not be able to enroll in the transit subsidy program with another agency until you have been withdrawn from the ICE Transit Subsidy Program.

**30. What is the maximum amount I may request?**

Currently the statutory limit is \$130 per month. You may request your actual commuting cost up to that limit. If your costs exceed the maximum benefit, you are required to supplement additional costs out of pocket without reimbursement.

**31. May I use my benefits to go to and from meetings at other ICE buildings or for training?**

No. Transit benefits are solely for your daily commute to and/or from work via mass transportation.

**32. I missed work for a few days. What do I do with my transit benefit for those days?**

If you are absent from work, you must adjust your benefit the following month to account for the days missed.

**33. If I don't use all my benefit, can I give it to my co-worker?**

No. Your transit benefit belongs to you; and no one else. Should you retire, leave the agency, or withdraw from the program, you must return all unused and undamaged fare media to your local Transit subsidy Coordinator. Over estimating transit cost, giving or selling the transit benefits to others, or purchasing fare media from another is prohibited. All unused benefits on the TRANServe debit card will be credited back to ICE on the 9<sup>th</sup> of each month. All unused benefits on the SmartTrip® card will be credited to ICE the last day of the month.

**34. What should I do with them?**

When employees enroll in the transit benefit program, you must self-certify the amount you spend each month and recertify annually in order to receive benefits. The transit benefit is tied to the calendar month and will not be issued retroactively. The statement on the DOT enrollment form reads: "This certification concerns a matter with the jurisdiction of an agency of the United States. Making false, fictitious, or fraudulent certification may render the maker subject to criminal prosecution under Title 18, United States Code, Section 1001, providing for a fine and imprisonment. Agency disciplinary actions up to and including dismissal may also be pursued."

**35. I know I'm going on leave and won't need the full benefit amount. What should I do?**

Take a lesser amount of transit benefit during the next distribution (**Field Employees Only**). The amount depends on how many days you were out due to annual leave. Example: You have certified that your estimated commuting cost is \$5.00 per day, or \$100.00 per month. You are on leave for 10 days. During the next transit benefit distribution, you must request \$50.00, having reduced the amount by the amount of media left from last time. All unused benefits on the TRANServe debit card will be credited back to ICE on the 9<sup>th</sup> of each month. All unused benefits on the SmartTrip® card will be credited to ICE the last day of the month. Employees on extended leave of 90 days or more are automatically withdrawn from the program and will need to reapply.

**36. I have fare media left over from the previous quarter. What do I do? (Field Employees Only)**

Take a lesser amount of transit benefit during the next distribution. The amount depends on how many days you were out due to annual leave, sick leave and/or travel. Example: You have certified that your estimated commuting cost is \$5.00 per day, or \$100.00 per month. You are on leave for 10 days. During the next transit benefit distribution, you must request \$50.00, having reduced the amount by the amount of media left from last time. Participants are not to accumulate fare media in excess of their actual monthly commuting costs. Benefit may be issued in advance of the time period they will be used, with the stipulation that unused benefits are deducted from those required for the following month.

**37. May I receive my transit benefit while on extended leave?**

No, This is a monthly benefit. If you aren't coming to work you don't need it and shouldn't take it. You must adjust your benefits for the time you will be out and return the benefits that you did not use.

**38. I've been on TDY the past two months. May I pick up my transit benefit for the months I missed?**

No. When the amount you receive exceeds the amount you need monthly, you must always adjust your benefit. When you receive the benefit in advance of going on TDY you must factor your absence into the amount you pick up at the next distribution.

**39. May I use my benefit to pay for parking at my commuter lot?**

No. Indirect costs, such as gas, mileage, or parking cannot be included as part of the estimated commuting cost.

**40. May I add personal funds to my SmartTrip® card? (HQ Employees Only)**

Yes. The SmartTrip® card now have three (3) purses (i.e., transit subsidy, parking and personal). Personal funds may be added to your SmartTrip® card and will be loaded to either your parking or personal purses.

**41. Do I need a separate SmartTrip® Card for transit benefit and for Parking at the Metro station? (HQ Employees Only)**

No. The Metro takes the same card for both applications. The SmartTrip® card now have three (3) purses (i.e., transit subsidy, parking and personal). WMATA system is equipped to distinguish which purse to collect your parking expenses from.

**42. Who verifies the accuracy of information supplied on the applications?**

The approving officials and/or supervisors are to ensure the participants are using the correct ICE Program codes and certify that the individual is an ICE employee.

**43. What happens if I lose my benefits?**

Once paper fare is issued, it remains in the personal possession of the employee who is responsible for its safekeeping. Lost, stolen or damaged paper fare media will not be replaced. TRANServe debit cards may be replaced by calling JP Morgan Chase at 1-866-891-6951. SmartTrip® card users please see Question #23.

**44. How are my benefits distributed? (HQ Employees Only)**

All HQ employees receiving the transit benefits and using Metrorail, Metrobus PRTC or any vendor which has the SmartTrip® Card target are required to have their transit benefits auto loaded to a registered SmartTrip® Card receives benefits on the 1<sup>st</sup> of each month and will expire the last day

of the month. TRANServe debit card participant, benefits are auto loaded on the debit card the 10<sup>th</sup> of each month and expire the 9<sup>th</sup> of the following month. New request begins after enrollment and notification by DOT. Commuters that use a combination of transit systems may use both the SmartTrip® card and the TRANServe debit card.