

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4549

To amend title 5, United States Code, to provide for travel and transportation expenses for the family of a career appointee in the Senior Executive Service who dies after transferring in the interest of the Government to an official duty station and who was eligible for an annuity at the time of death, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 1994

Ms. NORTON introduced the following bill; which was referred to the  
Committee on Government Operations

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## A BILL

To amend title 5, United States Code, to provide for travel and transportation expenses for the family of a career appointee in the Senior Executive Service who dies after transferring in the interest of the Government to an official duty station and who was eligible for an annuity at the time of death, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. TRAVEL AND TRANSPORTATION EXPENSES**  
2 **FOR FAMILY MEMBERS OF CAREER AP-**  
3 **POINTEES.**

4 Paragraph (3) of section 5724(a) of title 5, United  
5 States Code, is amended to read as follows:

6 “(3) upon the separation (or death in service)  
7 of a career appointee, as defined in section  
8 3132(a)(4) of this title, the travel expenses of that  
9 individual (if applicable), the transportation ex-  
10 penses of the immediate family of such individual,  
11 and the expenses of moving (including transporting,  
12 packing, crating, temporarily storing, draying, and  
13 unpacking) the household goods of such individual  
14 and personal effects not in excess of eighteen thou-  
15 sand pounds net weight, to the place where the indi-  
16 vidual will reside (or, in the case of a career ap-  
17 pointee who dies in service or who dies after separat-  
18 ing but before the travel, transportation, and moving  
19 is completed, to the place where the family will re-  
20 side) within the United States, its territories or pos-  
21 sessions, the Commonwealth of Puerto Rico, or the  
22 areas and installations in the Republic of Panama  
23 made available to the United States pursuant to the  
24 Panama Canal Treaty of 1977 and related agree-  
25 ments, as described in section 3(a) of the Panama  
26 Canal Act of 1979, if such individual—

1           “(A) during or after the five years preced-  
2           ing eligibility to receive an annuity under sub-  
3           chapter III of chapter 83, or of chapter 84 of  
4           this title, has been transferred in the interest of  
5           the Government from one official station to an-  
6           other for permanent duty as a career appointee  
7           in the Senior Executive Service or as a director  
8           under section 4103(a)(8) of title 38 (as in ef-  
9           fect on November 17, 1988); and

10           “(B) is eligible to receive an annuity upon  
11           such separation (or, in the case of death in  
12           service, met the requirements for being consid-  
13           ered eligible to receive an annuity, as of date of  
14           death) under the provisions of subchapter III of  
15           chapter 83 or chapter 84 of this title.”.

16 **SEC. 2. EFFECTIVE DATE.**

17           (a) IN GENERAL.—This Act and the amendment  
18           made by this Act shall take effect on October 1, 1994,  
19           or, if later, the date of the enactment of this Act.

20           (b) SPECIAL RULE.—

21           (1) IN GENERAL.—Under regulations prescribed  
22           by the President or his designee, an agency shall, as  
23           appropriate, pay or make reimbursement for any  
24           moving expenses which would be payable under the  
25           provisions of section 5724(a)(3) of title 5, United

1 States Code, as amended by section 1 (but which  
2 would not have been payable under such provisions,  
3 as last in effect before being so amended).

4 (2) APPLICABILITY.—The moving expenses to  
5 which this subsection applies are—

6 (A) those incurred by the family of an in-  
7 dividual who died—

8 (i) before separating from Govern-  
9 ment service; and

10 (ii) during the period beginning on  
11 January 1, 1994, and ending on the effec-  
12 tive date of this Act; and

13 (B) those incurred, in the case of an indi-  
14 vidual who would have met the requirements for  
15 being considered a director under section  
16 4103(a)(8) of title 38, United States Code (as  
17 in effect on November 17, 1988), with respect  
18 to a move that occurred during the period be-  
19 ginning on October 1, 1992, and ending on the  
20 effective date of this Act.

21 (3) CONDITION.—Payment or reimbursement  
22 under this subsection may not be made except upon  
23 appropriate written application submitted within 12  
24 months after date on which the regulations referred  
25 to in paragraph (1) take effect.

