

103^D CONGRESS
2^D SESSION

H. R. 4549

IN THE SENATE OF THE UNITED STATES

JULY 14 (legislative day, JULY 11), 1994

Received; read twice and referred to the Committee on Governmental Affairs

AN ACT

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,*

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

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

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

22 “(A) during or after the five years preced-
23 ing eligibility to receive an annuity under sub-
24 chapter III of chapter 83, or of chapter 84 of
25 this title, has been transferred in the interest of

1 the Government from one official station to an-
2 other for permanent duty as a career appointee
3 in the Senior Executive Service or as a director
4 under section 4103(a)(8) of title 38 (as in ef-
5 fect on November 17, 1988); and

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

12 **SEC. 2. EFFECTIVE DATE.**

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

16 (b) SPECIAL RULE.—

17 (1) IN GENERAL.—Under regulations prescribed
18 by the President or his designee, an agency shall, as
19 appropriate, pay or make reimbursement for any
20 moving expenses which would be payable under the
21 provisions of section 5724(a)(3) of title 5, United
22 States Code, as amended by section 1 (but which
23 would not have been payable under such provisions,
24 as last in effect before being so amended).

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

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

5 (i) before separating from Govern-
6 ment service; and

7 (ii) during the period beginning on
8 January 1, 1994, and ending on the effec-
9 tive date of this Act; and

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

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

Passed the House of Representatives July 12, 1994.

Attest: DONNALD K. ANDERSON,
Clerk.