

104TH CONGRESS
1ST SESSION

H. R. 2222

To provide for continued retirement and leave benefits for certain former employees of the Department of Defense.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 4, 1995

Mr. WARD (for himself, Mr. HAMILTON, Mr. FAZIO of California, and Mr. MATSUI) introduced the following bill; which was referred to the Committee on Government Reform and Oversight

A BILL

To provide for continued retirement and leave benefits for certain former employees of the Department of Defense.

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. CONTINUATION OF RETIREMENT AND LEAVE**
4 **BENEFITS FOR CERTAIN FORMER EMPLOY-**
5 **EES OF THE DEPARTMENT OF DEFENSE.**

6 (a) IN GENERAL.—Before transferring any functions
7 from a component of the Department of Defense to a con-
8 tractor, the Secretary of Defense shall ensure that the
9 contractor has made satisfactory arrangements to carry
10 out subsections (b) and (c).

1 (b) FEDERAL RETIREMENT BENEFITS.—

2 (1) IN GENERAL.—Any employee who, concur-
3 rent with a transfer of function described in sub-
4 section (a), transfers from a position in the Depart-
5 ment of Defense to employment with the contractor
6 referred to in subsection (a), and who, immediately
7 before the start of employment with the contractor,
8 is subject to subchapter III of chapter 83 of title 5,
9 United States Code, or chapter 84 of such title, shall
10 remain subject to such subchapter or chapter, as the
11 case may be, so long as that individual remains em-
12 ployed—

13 (A) by the contractor;

14 (B) without a break in service; and

15 (C) at the same site as where such individ-
16 ual was last employed by the Department of
17 Defense.

18 (2) CONTRIBUTIONS.—A contractor shall be re-
19 sponsible for making, on behalf of any individual de-
20 scribed in paragraph (1) who is employed by such
21 contractor, all appropriate contributions and pay-
22 ments to the Civil Service Retirement and Disability
23 Fund at the same time and in the same manner as
24 in the case of an employing agency under subchapter
25 III of chapter 83 or chapter 84 of such title.

1 (c) ANNUAL AND SICK LEAVE.—Any employee of the
2 Department of Defense who becomes employed by a con-
3 tractor in the circumstances described in subsection
4 (b)(1)—

5 (1) shall be credited by the contractor with all
6 annual leave and sick leave standing to that individ-
7 ual's credit on the date as of which such individual
8 separates from service with the Department of De-
9 fense; and

10 (2) shall not be entitled to a lump-sum payment
11 for unused annual leave under section 5551 of title
12 5, United States Code.

13 (d) APPLICABILITY.—Nothing in this section shall be
14 considered to apply with respect to any individual whose
15 last period of service with the Department of Defense, be-
16 fore the start of employment with a contractor, was on
17 a temporary or intermittent basis.

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