

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 868

---

## AN ACT

To provide authority for leave transfer for Federal employees who are adversely affected by disasters or emergencies, 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       That this Act may be cited as the “Federal Employees  
4       Emergency Leave Transfer Act of 1995”.

1       SEC. 2. (a) Chapter 63 of title 5, United States Code,  
2 is amended by adding after subchapter V the following  
3 new subchapter:

4       “SUBCHAPTER VI—LEAVE TRANSFER IN  
5               DISASTERS AND EMERGENCIES

6       “§ 6391. **Authority for leave transfer program in dis-**  
7               **asters and emergencies**

8       “(a) For the purpose of this section—

9               “(1) ‘employee’ means an employee as defined  
10       in section 6331(1); and

11              “(2) ‘agency’ means an Executive agency.

12       “(b) In the event of a major disaster or emergency,  
13 as declared by the President, that results in severe adverse  
14 effects for a substantial number of employees, the Presi-  
15 dent may direct the Office of Personnel Management to  
16 establish an emergency leave transfer program under  
17 which any employee in any agency may donate unused an-  
18 nual leave for transfer to employees of the same or other  
19 agencies who are adversely affected by such disaster or  
20 emergency.

21       “(c) The Office of Personnel Management shall es-  
22 tablish appropriate requirements for the operation of the  
23 emergency leave transfer program under subsection (b),  
24 including appropriate limitations on the donation and use  
25 of annual leave under the program. An employee may re-

1 ceive and use leave under the program without regard to  
2 any requirement that any annual leave and sick leave to  
3 a leave recipient's credit must be exhausted before any  
4 transferred annual leave may be used.

5 “(d) A leave bank established under subchapter IV  
6 may, to the extent provided in regulations prescribed by  
7 the Office of Personnel Management, donate annual leave  
8 to the emergency leave transfer program established under  
9 subsection (b).

10 “(e) Except to the extent that the Office of Personnel  
11 Management may prescribe by regulation, nothing in sec-  
12 tion 7351 shall apply to any solicitation, donation, or ac-  
13 ceptance of leave under this section.

14 “(f) The Office of Personnel Management shall pre-  
15 scribe regulations necessary for the administration of this  
16 section.”.

17 (b) The analysis for chapter 63 of title 5, United  
18 States Code, is amended by adding at the end thereof the  
19 following:

“SUBCHAPTER VI—LEAVE TRANSFER IN DISASTERS AND  
EMERGENCIES

“6391. Authority for leave transfer program in disasters and emergencies”.

1        SEC. 3. The amendments made by section 2 of this  
2 Act shall take effect on the date of enactment of this Act.

Passed the Senate October 19 (legislative day, October 18), 1995.

Attest:

*Secretary.*

104TH CONGRESS  
1ST SESSION

S. 868

---

## AN ACT

To provide authority for leave transfer for Federal employees who are adversely affected by disasters or emergencies, and for other purposes.