

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

# S. 2083

For the relief of certain former employees of the United States whose fire-fighting functions were transferred from the Department of Energy to Los Alamos County, New Mexico.

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## IN THE SENATE OF THE UNITED STATES

MAY 5 (legislative day, MAY 2), 1994

Mr. BINGAMAN introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

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## A BILL

For the relief of certain former employees of the United States whose firefighting functions were transferred from the Department of Energy to Los Alamos County, New Mexico.

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. PURPOSE.**

4       The purpose of this Act is to facilitate the purchase  
5       of service credit, under the retirement system for employ-  
6       ees of the State of New Mexico, by certain former employ-  
7       ees of the United States who became employees of Los  
8       Alamos County, New Mexico, as a result of the transfer

1 of certain firefighting functions from the Department of  
2 Energy to that county in 1989.

3 **SEC. 2. PROVISIONS RELATING TO THE MAKING OF PAY-**  
4 **MENTS.**

5 (a) IN GENERAL.—In order to carry out the purpose  
6 of this Act, the Secretary of the Treasury (or his designee)  
7 and an individual designated by the Governor of New Mex-  
8 ico shall enter into an agreement, as soon as practicable,  
9 under which all individuals to or on behalf of whom any  
10 payments under this Act are to be made shall be identi-  
11 fied, and the amount payable to or on behalf of each such  
12 individual (as well as the form and method for each such  
13 payment) shall be determined.

14 (b) LIMITATION.—The amount payable under this  
15 Act to or on behalf of any particular individual may not  
16 exceed—

17 (1) the total amount payable by the individual  
18 involved in order to receive service credit, under the  
19 retirement system referred to in section 1, for the  
20 period of service as a firefighter rendered by such  
21 individual as an employee of the Department of  
22 Energy; minus

23 (2) the amount of the lump-sum credit (as de-  
24 fined by applicable provisions of title 5, United  
25 States Code) paid to such individual based on such

1 individual's separation from the Department of En-  
2 ergy (or, in the case of any individual whose lump-  
3 sum credit also included amounts attributable to  
4 service other than a firefighter under the Depart-  
5 ment of Energy, the portion of the lump-sum credit  
6 attributable to service as such a firefighter).

7 **SEC. 3. PAYMENTS.**

8 (a) **IN GENERAL.**—The Secretary of the Treasury  
9 shall pay, out of amounts in the Treasury not otherwise  
10 appropriated, the amounts determined under section 2 in  
11 accordance with the applicable terms of the agreement de-  
12 scribed in such section.

13 (b) **RESTRICTION.**—It shall be unlawful for any  
14 amount in excess of 10 percent of any lump-sum payment  
15 payable under this Act to or on behalf of any individual  
16 to be paid to or received by any agent or attorney in con-  
17 sideration for services rendered in connection with such  
18 lump-sum payment. Any person who violates the preceding  
19 sentence shall be fined not more than \$1,000.

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