

104TH CONGRESS
1ST SESSION

H. R. 1740

For the relief of Michael Patrick McNamara and Thomas Parnell
McNamara, Jr.

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 1995

Mr. EDWARDS introduced the following bill; which was referred to the
Committee on Government Reform and Oversight

A BILL

For the relief of Michael Patrick McNamara and Thomas
Parnell McNamara, Jr.

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. APPOINTMENT RIGHTS.**

4 (a) IN GENERAL.—Notwithstanding any maximum
5 age limit under section 3307(d) or any other provision of
6 subchapter I of chapter 33 of title 5, United States Code,
7 Michael Patrick McNamara and Thomas Parnell McNamara, Jr. (both of Waco, Texas) shall each be entitled—
8 (1) to competitive status;
9

1 (2) to have such individual's appointment con-
2 verted to a career appointment, without condition;
3 and

4 (3) to have such individual's position converted
5 to the position of a Deputy United States Marshal.

6 (b) APPLICATION.—Subsection (a) shall not apply
7 unless—

8 (1) appropriate written application is submitted
9 by the individual involved within 1 year after the
10 date on which the regulations under section 3 be-
11 come effective; and

12 (2) such individual remains continuously em-
13 ployed as an Intermittent Deputy United States
14 Marshal (disregarding any break in service of 3 days
15 or less) between the date of the enactment of this
16 Act and the date on which such individual's applica-
17 tion is approved.

18 (c) APPROVAL.—An application submitted under this
19 section shall be approved if the requirements of para-
20 graphs (1) and (2) of subsection (b) are satisfied.

21 (d) APPOINTMENTS NOT TO CAUSE ANY ADVERSE
22 EFFECTS FOR OTHERS.—Nothing in this section shall
23 cause the separation or a reduction in the pay of any other
24 member of the United States Marshals Service.

1 **SEC. 2. PROVISIONS RELATING TO RETIREMENT.**

2 (a) ELIGIBILITY TO PARTICIPATE IN RETIREMENT
3 SYSTEM.—An individual holding a position on the date of
4 its conversion to a Deputy United States Marshal position
5 pursuant to section 1 shall become subject to the provi-
6 sions of subchapter III of chapter 83 of title 5, United
7 States Code, subject to the same terms and conditions as
8 apply in the case of an individual described in section
9 8402(b)(2) of such title.

10 (b) CONDITIONS FOR RECEIVING CREDIT FOR PRIOR
11 SERVICE.—

12 (1) IN GENERAL.—Subject to the making of a
13 deposit under section 8334(c) of title 5, United
14 States Code, upon application to the Office of Per-
15 sonnel Management within 1 year after the date of
16 becoming subject to the provisions of subchapter III
17 of chapter 83 of title 5, United States Code, pursu-
18 ant to subsection (a), the individual concerned shall
19 be allowed credit under such provisions for any serv-
20 ice such individual performed, before so becoming
21 subject to such provisions, as an Intermittent Dep-
22 uty United States Marshal.

23 (2) CERTIFICATION.—The Office shall, with re-
24 spect to any service for which credit is sought under
25 this subsection, accept the certification of the head
26 of the agency under which such individual was em-

1 employed while performing the service involved, but
2 only if such certification indicates the period of such
3 service, and includes copies of appropriate records or
4 other documentation to support the determination as
5 to the length of such period.

6 (c) MANDATORY SEPARATION.—For purposes of sec-
7 tion 8335 of title 5, United States Code, and any other
8 similar provision of such title, service performed as an
9 Intermittent Deputy United States Marshal by an individ-
10 ual who becomes subject to subchapter III of chapter 83
11 of such title pursuant to subsection (a) shall be considered
12 service performed as a law enforcement officer (within the
13 meaning of section 8331(20) of such title).

14 **SEC. 3. REGULATIONS.**

15 The Office of Personnel Management shall prescribe
16 such regulations as may be necessary to carry out this
17 Act. Such regulations shall include the form and content
18 requirements for any application under section 1, and pro-
19 visions concerning to whom any such application shall be
20 submitted for approval.

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