

108TH CONGRESS
2D SESSION

S. 2367

To amend chapters 83 and 84 of title 5, United States Code, to provide Federal retirement benefits for United States citizen employees of Air America, Inc., its subsidiary Air Asia Company Limited, or the Pacific Division of Southern Air Transport, Inc.

IN THE SENATE OF THE UNITED STATES

APRIL 29, 2004

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

A BILL

To amend chapters 83 and 84 of title 5, United States Code, to provide Federal retirement benefits for United States citizen employees of Air America, Inc., its subsidiary Air Asia Company Limited, or the Pacific Division of Southern Air Transport, Inc.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. FEDERAL RETIREMENT BENEFITS FOR EM-**
2 **PLOYEES OF CERTAIN CORPORATIONS**
3 **OWNED AND CONTROLLED BY THE UNITED**
4 **STATES.**

5 (a) IN GENERAL.—Section 8331(1) of title 5, United
6 States Code, is amended—

7 (1) in subparagraph (K), by striking “and” at
8 the end;

9 (2) in subparagraph (L), by inserting “and”
10 after the semicolon; and

11 (3) by inserting after subparagraph (L), the fol-
12 lowing:

13 “(M) a United States citizen who was em-
14 ployed by Air America, Inc., its subsidiary Air
15 Asia Company Limited, or the Pacific Division
16 of Southern Air Transport, Inc., during any pe-
17 riod of service that any such corporation was a
18 proprietary corporation owned and controlled by
19 the United States Government;”.

20 (b) TECHNICAL AND CONFORMING AMENDMENT.—
21 Section 8401(11) of title 5, United States Code, is amend-
22 ed by striking “or (K)” and inserting “(K) or (L)”.

23 **SEC. 2. CONTRIBUTIONS TO CIVIL SERVICE RETIREMENT**
24 **AND DISABILITY FUND.**

25 (a) IN GENERAL.—Not later than 90 days after the
26 date of enactment of this Act, the Director of Central In-

1 telligence shall make a payment described under sub-
2 section (b), from appropriations for the pay of employees
3 of the Central Intelligence Agency, in an amount equal
4 to—

5 (1)(A) employee contributions which would have
6 been deducted and withheld from the pay of individ-
7 uals described under subparagraph (M) of section
8 8331(1) of title 5, United States Code (as added by
9 this Act) for periods of service described under that
10 subparagraph, if that subparagraph had been in ef-
11 fect during such periods; and

12 (B) interest as prescribed under section 8334(e)
13 of title 5, United States Code, based on the amount
14 determined under subparagraph (A); and

15 (2) the amount of applicable agency contribu-
16 tions based on employee contributions under para-
17 graph (1).

18 (b) DEPOSIT OF PAYMENT.—Payment of the amount
19 under subsection (a) shall be deposited in the Civil Service
20 Retirement and Disability Fund.

21 **SEC. 3. REGULATIONS.**

22 After consultation with the Director of Central Intel-
23 ligence, the Office of Personnel Management shall pre-
24 scribe regulations to carry out this Act, including regula-

1 tions that provide for, with respect to individuals affected
2 by the amendment made by this Act—

3 (1) the application for, and computation or re-
4 computation of, annuities, including survivor annu-
5 ities; and

6 (2) the benefits payable if such an individual is
7 not otherwise eligible for an annuity.

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