

SEC. 2. Any expenditures required to implement the provisions of section 1 shall be paid from the appropriation "Contingent Expenses, Architect of the Capitol" and any funds appropriated under this head shall hereafter be available for such purpose.

Approved December 13, 1973.

Public Law 93-181

AN ACT

December 14, 1973  
[H. R. 1284]

To amend title 5, United States Code, to improve the administration of the leave system for Federal employees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the second sentence of section 5551(a) of title 5, United States Code, is amended by striking out ". except that it may not exceed pay for a period of annual or vacation leave in excess of 30 days or the number of days carried over to his credit at the beginning of the leave year in which entitlement to payment occurs, whichever is greater".

Federal employ-  
ees.  
Leave system,  
improvement.  
80 Stat. 488.

(b) Section 5551(b) of title 5, United States Code, is amended to read as follows:

"(b) The accumulated and current accrued annual leave to which an officer excepted from subchapter I of chapter 63 of this title by section 6301(2)(x)-(xii) of this title, is entitled immediately before the date he is excepted under that section shall be liquidated by a lump-sum payment in accordance with subsection (a) of this section or subchapter VIII of this chapter, except that the payment is based on the rate of pay which he was receiving immediately before the date on which section 6301(2)(x)-(xii) of this title became applicable to him."

80 Stat. 517.

80 Stat. 495;  
82 Stat. 1212.  
5 USC 5581.

SEC. 2. The first sentence of section 6303(b) of title 5, United States Code, is amended to read as follows: "Notwithstanding subsection (a) of this section, an employee whose current employment is limited to less than 90 days is entitled to annual leave under this subchapter only after being currently employed for a continuous period of 90 days under successive appointments without a break in service."

90-day leave  
ban, elimination.

SEC. 3. Section 6304 of title 5, United States Code, is amended—

Annual leave  
restoration.

(1) by striking out of subsection (a) the phrase "subsection (b) of this section" and inserting in lieu thereof "subsections (b), (d), and (e) of this section"; and

(2) by adding at the end thereof the following new subsections:

"(d) (1) Annual leave which is lost by operation of this section because of—

Conditions.

"(A) administrative error when the error causes a loss of annual leave otherwise accruable after June 30, 1960;

"(B) exigencies of the public business when the annual leave was scheduled in advance; or

"(C) sickness of the employee when the annual leave was scheduled in advance;

shall be restored to the employee.

Separate leave  
account.  
*Post*, p. 707.

Lump-sum pay-  
ment.

*Ante*, p. 705.  
80 Stat. 489.

Lump-sum pay-  
ment claims, fill-  
ing.

*Ante*, p. 705.

Annual leave  
credit, errors.  
80 Stat. 517.

82 Stat. 1212;  
86 Stat. 760.  
Former employ-  
ees.

*Ante*, p. 705.

“(2) Annual leave restored under paragraph (1) of this subsection, or under clause (2) of section 5562(a) of this title, which is in excess of the maximum leave accumulation permitted by law shall be credited to a separate leave account for the employee and shall be available for use by the employee within the time limits prescribed by regulations of the Civil Service Commission. Leave credited under this paragraph but unused and still available to the employee under the regulations prescribed by the Commission shall be included in the lump-sum payment under section 5551 or 5552(1) of this title but may not be retained to the credit of the employee under section 5552(2) of this title.

“(e) Annual leave otherwise accruable after June 30, 1960, which is lost by operation of this section because of administrative error and which is not credited under subsection (d)(2) of this section because the employee is separated before the error is discovered, is subject to credit and liquidation by lump-sum payment only if a claim therefor is filed within 3 years immediately following the date of discovery of the error. Payment shall be made by the agency of employment when the lump-sum payment provisions of section 5551 of this title last became applicable to the employee at the salary rate in effect on the date of the lump-sum provisions became applicable.”

SEC. 4. Section 6302 of title 5, United States Code, is amended by inserting at the end thereof the following new subsection:

“(f) An employee who uses excess annual leave credited because of administrative error may elect to refund the amount received for the days of excess leave by lump-sum or installment payments or to have the excess leave carried forward as a charge against later-accruing annual leave, unless repayment is waived under section 5584 of this title.”

SEC. 5. With respect to a former employee (except a former employee under section 6 of this Act) who is not on the rolls on the date of enactment of this Act, annual leave which accrued after June 30, 1960, but, because of administrative error, was lost by operation of section 6304 of title 5, United States Code, is subject to credit and liquidation by lump-sum payment only if a claim therefor is filed within three years immediately following the date of enactment of this Act, with the agency by which he was employed when the lump-sum payment provisions of section 5551 of title 5, United States Code, last became applicable to him. Payment shall be by that agency at the salary rate in effect on the date the lump-sum payment provisions became applicable.

SEC. 6. (a) With respect to a former employee of the Post Office Department or a former employee of the United States Postal Service who had prior civilian service with the Post Office Department or other Federal agency, who is not on the rolls on the date of enactment of this Act, annual leave which accrued after June 30, 1960, and before July 1, 1971, but, because of administrative error was lost by operation of section 6304 of title 5, United States Code, is subject to credit and liquidation by lump-sum payment only if a claim therefor is filed within three years immediately following the date of enactment of this Act with the Postal Service. Payment shall be by the Postal Service at the salary rate in effect on the date the lump-sum payment provisions of section 5551 of title 5, United States Code, or comparable provisions of regulations of the Postal Service, as appropriate, last became applicable to the former employee.

(b) With respect to a present employee of the Postal Service who had prior Federal civilian service with the Post Office Department or other Federal agency, annual leave which accrued after June 30, 1960, and before July 1, 1971, but, because of administrative error was lost by operation of section 6304 of title 5, United States Code, is subject to credit and liquidation by lump-sum payment only if a claim therefor is filed within three years immediately following the date of enactment of this Act with the Postal Service. Payment shall be by the Postal Service at the salary rate in effect on the date of enactment of this Act.

Ante, p. 705.

SEC. 7. (a) Section 5562(a) of title 5, United States Code, is amended by adding at the end thereof the following new sentences: "Notwithstanding any other provision of law, an employee in a missing status on or after January 1, 1965, is entitled—

Employees in missing status. 80 Stat. 490.

"(1) to payment for annual leave which accrued to his account on or after January 1, 1965, but which was forfeited under section 6304 of this title because he was unable to use that leave by virtue of his missing status; or

"(2) to have all of that leave restored to him and credited to a separate leave account in accordance with the provisions of section 6304(d)(2) of this title.

An employee shall elect in writing, within 90 days immediately following the date of enactment of this sentence or within 90 days immediately following the termination of his missing status, whichever is later, whether he desires payment for the leave under clause (1) of this subsection or credit of the leave under clause (2) of this subsection. Payment under clause (1) of this subsection shall be at the employee's rate of basic pay in effect at the time the leave was forfeited."

Written request.

(b) The amendment made by subsection (a) of this section shall apply to former employees or their beneficiaries.

Applicability.

Approved December 14, 1973.

Public Law 93-182

AN ACT

December 15, 1973 [H. R. 11324]

To provide for daylight saving time on a year-round basis for a two-year trial period, and to require the Federal Communications Commission to permit certain daytime broadcast stations to operate before local sunrise.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Emergency Daylight Saving Time Energy Conservation Act of 1973".

Emergency Daylight Saving Time Energy Conservation Act of 1973.

SEC. 2. The Congress hereby finds and declares—

(1) that the United States faces severe energy shortages, especially in the winter of 1973-1974 and in the next several winters thereafter;

(2) that various studies of governmental and nongovernmental agencies indicate that year-round daylight saving time would produce an energy saving in electrical power consumption;

(3) that daylight saving time may yield energy savings in other areas besides electrical power consumption;

(4) that year-round daylight saving time could serve as an incentive for further energy conservation by individuals, companies, and the various governmental entities at all levels of government, and that such energy conservation efforts could lead