

88TH CONGRESS  
2D SESSION

# H. R. 12642

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IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 22, 1964

Mr. FOGARTY introduced the following bill; which was referred to the Committee on Post Office and Civil Service

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## A BILL

To provide for the waiver in certain cases of the limitation on the payment of premium compensation imposed by section 603 (b) of the Federal Employees Pay Act of 1945, 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 section 603 (b) of the Federal Employees Pay Act of  
4       1945, as amended (68 Stat. 1112; 5 U.S.C. 943 (b) ), is  
5       amended by adding at the end thereof the following: "The  
6       appropriate authority concerned is authorized to waive, in  
7       accordance with regulations to be prescribed by or under  
8       authority of the President, the application of the foregoing  
9       provisions of this subsection in those cases involving fifty or

1 more hours of work (1) for which premium compensation  
2 otherwise would not be payable by reason of this subsection  
3 and (2) which was performed (A) in an emergency, (B)  
4 under hazardous conditions, (C) in order to complete an  
5 assignment within a prescribed period of time, or (D) in  
6 connection with any national defense or scientific research  
7 or development program of the Federal Government.”.

8       SEC. 2. The amendment made by the first section of this  
9 Act shall be applicable, except as provided in section 3 of this  
10 Act, only with respect to work performed on or after the date  
11 of enactment of such amendment.

12       SEC. 3. Each officer and employee—

13           (1) who is on the rolls on the date of enactment of  
14 this Act, and

15           (2) who, on or after the effective date of title II of  
16 the Act of September 1, 1954 (68 Stat. 1112; 5 U.S.C.  
17 943, note, relating to the effective date), and prior to  
18 the date of enactment of this Act, performed work for  
19 which he was denied premium compensation by reason  
20 of section 603 (b) of the Federal Employees Pay Act of  
21 1945, as contained in the amendment made by section  
22 209 of the Act of September 1, 1954 (68 Stat. 1112; 5  
23 U.S.C. 943 (b) ),

24 may, within two years after the date of enactment of this  
25 Act, apply to the appropriate authority, under whose juris-

1 diction the officer or employee was employed at the time  
2 such work was performed, for payment of the premium com-  
3 pensation to which he would have been entitled for such  
4 work if the waiver provisions established by the first section  
5 of this Act had been in effect at the time such work was per-  
6 formed. If the appropriate authority concerned determines  
7 that such officer or employee would have been entitled to such  
8 premium compensation if such waiver provisions had been in  
9 effect at such time, he shall approve the application of the  
10 officer and employee, and such officer or employee shall be  
11 entitled to such premium compensation. If the appropriate  
12 authority determines that such officer or employee is not so  
13 entitled, he shall inform the officer or employee to that effect  
14 and such determination shall constitute a final disposition  
15 of the claim of the officer or employee.

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