



OFFICE OF THE
SECRETARY
2015 JUL 10 PM 1:13

MURIEL BOWSER
MAYOR
JUL 10 2015

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue, N.W., Suite 504
Washington, D.C. 20004

Dear Chairman Mendelson:

Enclosed for consideration and approval by the Council of the District of Columbia is proposed permanent legislation entitled "Active Duty Pay Differential Amendment Act of 2015 (the "Legislation")." The Legislation would amend subsection 1103(a)(7) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, to expand the current authorization for the payment of a pay differential to full-time permanent, indefinite, or term District government employees called to active military duty from reserve units of the United States forces.

Currently, the authorization for the pay differential is limited to eligible District government employees called to active duty as a result of *Operation Enduring Freedom* and in preparation for or a result of *Operation Iraqi Freedom*. However, subsequent to the enactment of the legislation that originally authorized the pay differential, District government employees have been called to active duty as a result of *Operation New Dawn*, *Operation Odyssey Dawn*, and other military contingency operations, without the benefit of the pay differential. Thus, this Legislation would expand the pay differential authorization so that it covers employees called to active duty as a result of any military operations that meet the definition of a "contingency operation," as defined in 10 U.S.C. 101(a)(13)(b).


As you know, District government employees continue to serve and be called into our nation's military components and, as a result, suffer emotional, as well as financial distress and hardship during the period of separation from their families and dependents. This Legislation will ensure assistance to the deployed District government reservists by easing financial hardship while they defend our country.

I urge you and the Council to take prompt and favorable action on the enclosed legislation. As always, I am available to discuss any questions that you may have on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser".

Muriel Bowser


Chairman Phil Mendelson
At the request of the Mayor

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to expand the pay differential authorization to relieve the financial burdens placed upon certain District government employees who serve in the reserve units of the United States Armed Forces and who are called or ordered to active duty in preparation for or as a result of Operation New Dawn, Operation Odyssey Dawn, or any other contingency operation as defined in 10 U.S.C. § 101(a)(13)(B).

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Active Duty Pay Differential Amendment Act of 2015”.

Sec. 2. Section 1103(a)(7) of the Government of the District of Columbia Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code 1-611.03), is amended by adding a new paragraph (c) to read as follows:

“(C) In addition to the military operations listed in subparagraph (A) of this paragraph, any full-time permanent, indefinite, or term employee who serves in a reserve component of the United States Armed Forces and who is called or ordered to active duty under a provision of law referred to in 10 U.S.C. § 101(a)(13)(B), shall be entitled, while serving on such active duty, upon application and approval, the pay differential described in subparagraph (A) of this paragraph. The pay differential amount shall not be considered as basic pay for any purpose and shall be paid for any period during which the employee is carried in a non-pay status

26 from the time the employee is called or ordered to active duty, until the employee is released
27 from active duty occasioned by any of these military operations.”.

28 Sec. 3. Fiscal impact statement.

29 The Council adopts the fiscal impact statement provided by the Chief Financial Officer as
30 the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule
31 Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

32 Sec. 4. Effective date.

33 This act shall take effect following approval by the Mayor (or in the event of veto by the
34 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
35 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
36 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c)(1)), and publication in the District of
37 Columbia Register.

Government of the District of Columbia
Office of the Chief Financial Officer



Jeffrey S. DeWitt
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jeffrey S. DeWitt
Chief Financial Officer

DATE: June 26, 2015

SUBJECT: Fiscal Impact Statement – Active Duty Pay Differential Amendment Act of 2015

REFERENCE: Draft bill as shared with the Office of Revenue Analysis on June 15, 2015

Conclusion

Funds are sufficient in the fiscal year 2015 budget and the proposed fiscal years 2016 through 2019 budget and financial plan to implement the bill.

Background

District government employees called to active duty for Operation Iraqi Freedom in Iraq and Operation Enduring Freedom in Afghanistan received from the District of Columbia pay that made up the difference between their District salaries and military salaries. The bill will extend the same benefit to District employees who are called to active duty for any military contingency (wars, military actions, hostilities against enemy, etc.).¹

Financial Plan Impact

Funds are sufficient in the fiscal year 2015 budget and the proposed fiscal years 2016 through 2019 budget and financial plan to implement the bill.

Since 2007, only 58 District government employees received pay for the active duty differential and the total payment has been approximately \$55,000. Agencies have been able to absorb this cost, and therefore should be able to do so in the future.

¹ The term “military contingency” is defined under 10 U.S. Code § 101.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL



Legal Counsel Division

MEMORANDUM

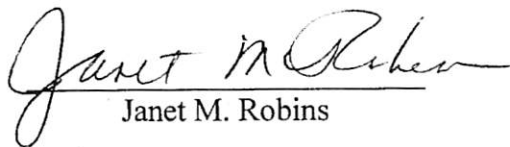
TO: Lolita S. Alston
Director
Office of Legislative Support

FROM: Janet M. Robins
Deputy Attorney General
Legal Counsel Division

DATE: June 15, 2015

SUBJECT: Legal Sufficiency Review of Bill, the "Active Duty Pay Differential
Amendment Act of 2015"
(AE-15-391)

This is to Certify that this Office has reviewed the above-referenced legislation and has found it to be legally sufficient. If you have any questions regarding this certification, please do not hesitate to contact me at 724-5524.


Janet M. Robins

JMR/phg