

106TH CONGRESS
2D SESSION

S. 2915

AMENDMENTS

In the House of Representatives, U. S.,

October 25, 2000.

Resolved, That the bill from the Senate (S. 2915) entitled “An Act to make improvements in the operation and administration of the Federal courts, and for other purposes”, do pass with the following

AMENDMENTS:

(1)Strike section 103, and redesignate the remaining sections and table of contents accordingly.

(2)Page 9, line 22, strike **【subsection; or】** and insert: *subsection, or*

(3)Page 10, line 6, strike **【subsection;】** and insert: *subsection,*

(4)Page 10, line 9, strike **【judge; or】** and insert: *judge, or*

(5)Page 25, beginning on line 21, strike **【“(b) For purposes of constructing】** and all that follows through **【date of retirement.】** on page 26, line 6, and insert:

1 “(b)(1)(A) *For purposes of construing and applying*
 2 *chapter 89 of title 5, a judge of the United States Court*
 3 *of Federal Claims who—*

4 “(i) *is retired under subsection (b) of section 178*
 5 *of this title, and*

6 “(ii) *at the time of becoming such a retired*
 7 *judge—*

8 “(I) *was enrolled in a health benefits plan*
 9 *under chapter 89 of title 5, but*

10 “(II) *did not satisfy the requirements of sec-*
 11 *tion 8905(b)(1) of title 5 (relating to eligibility*
 12 *to continue enrollment as an annuitant),*

13 *shall be deemed to be an annuitant meeting the require-*
 14 *ments of section 8905(b)(1) of title 5, in accordance with*
 15 *the succeeding provisions of this paragraph, if the judge*
 16 *gives timely written notification to the chief judge of the*
 17 *court that the judge is willing to be called upon to perform*
 18 *judicial duties under section 178(d) of this title during the*
 19 *period of continued eligibility for enrollment, as described*
 20 *in subparagraph (B)(ii) or (C)(ii) (whichever applies).*

21 “(B) *Except as provided in subparagraph (C)—*

22 “(i) *in order to be eligible for continued enroll-*
 23 *ment under this paragraph, notification under sub-*
 24 *paragraph (A) shall be made before the first day of*

1 *the open enrollment period preceding the calendar*
 2 *year referred to in clause (ii)(II); and*

3 *“(ii) if such notification is timely made, the re-*
 4 *tired judge shall be eligible for continued enrollment*
 5 *under this paragraph for the period—*

6 *“(I) beginning on the date on which eligi-*
 7 *bility would otherwise cease, and*

8 *“(II) ending on the last day of the calendar*
 9 *year next beginning after the end of the open en-*
 10 *rollment period referred to in clause (i).*

11 *“(C) For purposes of applying this paragraph for the*
 12 *first time in the case of any particular judge—*

13 *“(i) subparagraph (B)(i) shall be applied by sub-*
 14 *stituting ‘the expiration of the term of office of the*
 15 *judge’ for the matter following ‘before’; and*

16 *“(ii)(I) if the term of office of such judge expires*
 17 *before the first day of the open enrollment period re-*
 18 *ferred to in subparagraph (B)(i), the period of contin-*
 19 *ued eligibility for enrollment shall be as described in*
 20 *subparagraph (B)(ii); but*

21 *“(II) if the term of office of such judge expires*
 22 *on or after the first day of the open enrollment period*
 23 *referred to in subparagraph (B)(i), the period of con-*
 24 *tinued eligibility shall not end until the last day of*
 25 *the calendar year next beginning after the end of the*

1 *next full open enrollment period beginning after the*
 2 *date on which the term expires.*

3 *“(2) In the event that a retired judge remains enrolled*
 4 *under chapter 89 of title 5 for a period of 5 consecutive*
 5 *years by virtue of paragraph (1) (taking into account only*
 6 *periods of coverage as an active judge immediately before*
 7 *retirement and as a retired judge pursuant to paragraph*
 8 *(1)), then, effective as of the day following the last day of*
 9 *that 5-year period—*

10 *“(A) the provisions of chapter 89 of title 5 shall*
 11 *be applied as if such judge had satisfied the require-*
 12 *ments of section 8905(b)(1) on the last day of such pe-*
 13 *riod; and*

14 *“(B) the provisions of paragraph (1) shall cease*
 15 *to apply.*

16 *“(3) For purposes of this subsection, the term ‘open*
 17 *enrollment period’ refers to a period described in section*
 18 *8905(g)(1) of title 5.*

(6)Page 26, line 23, strike **【6301(2)(xiii)】** and insert:
6301(2)(B)(xiii)

(7)Page 29, beginning on line 8, strike **【(1) in subparagraph (A),】** and all that follows through **【first’.”】** on line 24, and insert:

1 (1) in subparagraph (A), in the matter following
 2 clause (ii), by striking “or October 1, 2002, whichever
 3 occurs first,”; and

4 (2) in subparagraph (F)—

5 (A) in clause (i)—

6 (i) in subclause (II), by striking “or
 7 October 1, 2002, whichever occurs first”;
 8 and

9 (ii) in the matter following subclause
 10 (II)—

11 (I) by striking “October 1, 2003,
 12 or”; and

13 (II) by striking “, whichever oc-
 14 curs first”; and

15 (B) in clause (ii), in the matter following
 16 subclause (II)—

17 (i) by striking “October 1, 2003, or”;
 18 and

19 (ii) by striking “, whichever occurs
 20 first”.

Attest:

Clerk.