

110TH CONGRESS
1ST SESSION

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To facilitate the part-time reemployment of annuitants, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2007

Ms. COLLINS (for herself, Mr. WARNER, and Mr. VOINOVICH) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To facilitate the part-time reemployment of annuitants, 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 **SECTION 1. PART-TIME REEMPLOYMENT.**

4 (a) CIVIL SERVICE RETIREMENT SYSTEM.—Section
5 8344 of title 5, United States Code, is amended—

6 (1) by redesignating subsection (l) as subsection
7 (m);

8 (2) by inserting after subsection (k) the fol-
9 lowing:

10 “(l)(1)(A) For purposes of this subsection—

1 “(i) the term ‘agency’ means—

2 “(I) an Executive agency;

3 “(II) the United States Postal Service;

4 “(III) the judicial branch; and

5 “(IV) any employing entity covered by sub-
6 section (k); and

7 “(ii) the term ‘limited time appointee’ means an
8 annuitant appointed under a temporary appointment
9 limited to 1 year or less.

10 “(B) The head of an agency, in the case of an agency
11 described in subclause (III) or (IV) of subparagraph
12 (A)(i), shall be determined in the same manner as pro-
13 vided for under subsection (j) or (k), respectively.

14 “(2) The head of any agency may waive the applica-
15 tion of subsection (a) or (b) with respect to any annuitant
16 who is employed in such agency as a limited time ap-
17 pointee.

18 “(3) The head of any agency may not waive the appli-
19 cation of subsection (a) or (b) with respect to an annu-
20 itant—

21 “(A) for more than 520 hours of service per-
22 formed by such annuitant during the period ending
23 6 months following the individual’s annuity com-
24 mencing date;

1 “(B) for more than 1040 hours of service per-
2 formed by such annuitant during any 12-month pe-
3 riod; or

4 “(C) for more than 6240 hours of service per-
5 formed by such annuitant during the individual’s
6 lifetime.

7 “(4)(A) The Director of the Office of Personnel Man-
8 agement may promulgate regulations providing for the ad-
9 ministration of this subsection.

10 “(B) Any regulations promulgated under subpara-
11 graph (A) may—

12 “(i) provide standards for the maintenance
13 and form of necessary records of employment
14 under this subsection;

15 “(ii) to the extent not otherwise expressly
16 prohibited by law, require employing organiza-
17 tions to provide records of such employment to
18 the Office of Personnel Management or other
19 employing organizations as necessary to ensure
20 compliance with paragraph (3);

21 “(iii) permit other administratively conven-
22 ient periods substantially equivalent to 12
23 months, such as 26 pay periods, to be used in
24 determining compliance with paragraph (3)(B);
25 and

1 “(iv) include such other administrative re-
 2 quirements as the Director of the Office of Per-
 3 sonnel Management may find appropriate to
 4 provide for the effective operation of, or to en-
 5 sure compliance with, this subsection.”; and

6 (3) in subsection (m) (as so redesignated)—

7 (A) in paragraph (1), by striking “(k)”
 8 and inserting “(l)”; and

9 (B) in paragraph (2), by striking “or (k)”
 10 and inserting “(k), or (l)”.

11 (b) FEDERAL EMPLOYEE RETIREMENT SYSTEM.—

12 Section 8468 of title 5, United States Code, is amended—

13 (1) by redesignating subsection (i) as subsection
 14 (j);

15 (2) by inserting after subsection (h) the fol-
 16 lowing:

17 “(i)(1)(A) For purposes of this subsection—

18 “(i) the term ‘agency’ means—

19 “(I) an Executive agency;

20 “(II) the United States Postal Service;

21 “(III) the judicial branch; and

22 “(IV) any employing authority covered by
 23 subsection (h); and

1 “(ii) the term ‘limited time appointee’ means an
2 annuitant appointed under a temporary appointment
3 limited to 1 year or less.

4 “(B) The head of an agency, in the case of an agency
5 described in subclause (III) or (IV) of subparagraph
6 (A)(i), shall be determined in the same manner as pro-
7 vided for under subsection (g) or (h), respectively; and

8 “(2) The head of any agency may waive the applica-
9 tion of subsection (a) with respect to any annuitant who
10 is employed in such agency as a limited time appointee.

11 “(3) The head of any agency may not waive the appli-
12 cation of subsection (a) with respect to an annuitant—

13 “(A) for more than 520 hours of service per-
14 formed by such annuitant during the period ending
15 6 months following the individual’s annuity com-
16 mencing date;

17 “(B) for more than 1040 hours of service per-
18 formed by such annuitant during any 12-month pe-
19 riod; or

20 “(C) for more than 6240 hours of service per-
21 formed by such annuitant during the individual’s
22 lifetime.

23 “(4)(A) The Director of the Office of Personnel Man-
24 agement may promulgate regulations providing for the ad-
25 ministration of this subsection.

1 “(B) Any regulations promulgated under subpara-
 2 graph (A) may—

3 “(i) provide standards for the maintenance and
 4 form of necessary records of employment under this
 5 subsection;

6 “(ii) to the extent not otherwise expressly pro-
 7 hibited by law, require employing organizations to
 8 provide records of such employment to the Office or
 9 other employing organizations as necessary to ensure
 10 compliance with paragraph (3);

11 “(iii) permit other administratively convenient
 12 periods substantially equivalent to 12 months, such
 13 as 26 pay periods, to be used in determining compli-
 14 ance with paragraph (3)(B); and

15 “(iv) include such other administrative require-
 16 ments as the Director of the Office of Personnel
 17 Management may find appropriate to provide for ef-
 18 fective operation of, or to ensure compliance with,
 19 this subsection.”; and

20 (3) in subsection (j) (as so redesignated)—

21 (A) in paragraph (1), by striking “(h)”
 22 and inserting “(i)”; and

23 (B) in paragraph (2), by striking “or (h)”
 24 and inserting “(h), or (i)”.

1 (c) TECHNICAL AND CONFORMING AMENDMENTS.—
2 Section 1005(d)(2) of title 39, United States Code, is
3 amended—
4 (1) by striking “(l)(2)” and inserting “(m)(2)”;
5 and
6 (2) by striking “(i)(2)” and inserting “(j)(2)”.

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