

103D CONGRESS  
1ST SESSION

**H. R. 2876**

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**AN ACT**

To promote and support management reorganization of the National Aeronautics and Space Administration.

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## AN ACT

To promote and support management reorganization of the  
National Aeronautics and Space Administration.

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. SHORT TITLE.**

4        This Act may be cited as the “National Aeronautics  
5        and Space Administration Management Reorganization  
6        Act of 1993”.

7        **SEC. 2. SEPARATION PAY.**

8        (a) For the purpose of this section—

1 (1) the term “Administrator” means the Ad-  
2 ministrator of the National Aeronautics and Space  
3 Administration; and

4 (2) the term “employee” means an employee of  
5 the National Aeronautics and Space Administration  
6 serving under an appointment without time limita-  
7 tion, who has been currently employed for a continu-  
8 ous period of at least 12 months, except that such  
9 term does not include—

10 (A) a reemployed annuitant under sub-  
11 chapter III of chapter 83 or chapter 84 of title  
12 5, United States Code, or another retirement  
13 system for employees of the Government; or

14 (B) an employee having a disability on the  
15 basis of which such employee is or would be eli-  
16 gible for disability retirement under any of the  
17 retirement systems referred to in subparagraph  
18 (A).

19 (b) In order to avoid or minimize the need for invol-  
20 untary separations due to a reduction in force, installation  
21 closure, reorganization, transfer of function, or other simi-  
22 lar action affecting the National Aeronautics and Space  
23 Administration, the Administrator shall establish a pro-  
24 gram under which separation pay may be offered to en-

1 courage eligible employees to separate from service volun-  
2 tarily (whether by retirement or resignation).

3 (c) Under the program, separation pay may be  
4 offered only—

5 (1) with the prior written consent of the  
6 Administrator; and

7 (2) to employees within such occupational  
8 groups or geographic locations, or subject to such  
9 other similar limitations or conditions, as the  
10 Administrator may require.

11 (d) Such separation pay—

12 (1) shall be paid in a lump sum; and

13 (2) shall be equal to the lesser of—

14 (A) an amount equal to the amount the  
15 employee would be entitled to receive under sec-  
16 tion 5595(c) of title 5, United States Code, if  
17 the employee were entitled to payment under  
18 such section; or

19 (B) \$25,000;

20 (3) shall not be a basis for payment, and shall  
21 not be included in the computation, of any other  
22 type of Government benefit; and

23 (4) shall not be taken into account for purposes  
24 of determining the amount of any severance pay to  
25 which an individual may be entitled under section

1 5595 of title 5, United States Code, based on any  
2 other separation.

3 (e)(1) No amount shall be payable under this section  
4 based on any separation occurring after September 30,  
5 1995.

6 (2) No amount shall be payable under this section  
7 for any member in the Senior Executive Service based on  
8 any separation occurring after September 30, 1993.

9 (f) An employee who receives separation pay under  
10 such program may not be reemployed by the National Aer-  
11 onautics and Space Administration for the 12-month  
12 period beginning on the effective date of the employee's  
13 separation, unless the employee agrees to repay to the  
14 United States an amount equal to such separation pay  
15 multiplied by the proportion of such 12-month period dur-  
16 ing which the employee will be so reemployed.

17 (g) The Administrator shall prescribe such regula-  
18 tions as may be necessary to carry out this section.

19 **SEC. 3. AMOUNTS TO REMAIN AVAILABLE.**

20 Amounts appropriated after August 1, 1993, for car-  
21 rying out this Act shall be from sums otherwise authorized  
22 to be appropriated for research and program management

1 for the National Aeronautics and Space Administration,  
2 and may remain available until expended.

Passed the House of Representatives August 6,  
1993.

Attest:

*Clerk.*