

Union Calendar No. 489

110TH CONGRESS
2^D SESSION

H. R. 2780

[Report No. 110-770]

To amend section 8339(p) of title 5, United States Code, to clarify the method for computing certain annuities under the Civil Service Retirement System which are based on part-time service, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2007

Mr. MORAN of Virginia introduced the following bill; which was referred to the Committee on Oversight and Government Reform

JULY 24, 2008

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

A BILL

To amend section 8339(p) of title 5, United States Code, to clarify the method for computing certain annuities under the Civil Service Retirement System which are based on part-time service, 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,*

1 **SECTION 1. COMPUTATION OF CERTAIN ANNUITIES BASED**
 2 **ON PART-TIME SERVICE.**

3 Section 8339(p) of title 5, United States Code, is
 4 amended by adding at the end the following:

5 “(3) In the administration of paragraph (1)—

6 “(A) subparagraph (A) of such paragraph shall
 7 apply with respect to pay for service performed be-
 8 fore, on, or after April 7, 1986; and

9 “(B) subparagraph (B) of such paragraph—

10 “(i) shall apply with respect to that portion
 11 of any annuity which is attributable to service
 12 performed on or after April 7, 1986; and

13 “(ii) shall not apply with respect to that
 14 portion of any annuity which is attributable to
 15 service performed before April 7, 1986.”.

16 **SEC. 2. APPLICABILITY.**

17 (a) **IN GENERAL.**—The amendment made by this Act
 18 shall be effective with respect to any annuity entitlement
 19 to which is based on a separation from service occurring
 20 on or after the date of enactment of this Act.

21 (b) **RECOMPUTATION OF CERTAIN ANNUITIES.**—

22 (1) **IN GENERAL.**—In the case of any individual
 23 who—

24 (A) before April 7, 1986, performed any
 25 service creditable under subchapter III of chap-
 26 ter 83 of title 5, United States Code; and

1 (B) was separated from the service on or
2 after April 7, 1986, and before the date of en-
3 actment of this Act,
4 any annuity under subchapter III of chapter 83 of
5 title 5, United States Code (or under chapter 84 of
6 such title 5, to the extent of any portion of such an-
7 nuity which is computed under subchapter III of
8 such chapter 83) based on the service of such indi-
9 vidual shall be recomputed to take into account the
10 amendment made by this Act, if application therefor
11 is made within 18 months after the date of enact-
12 ment of this Act.

13 (2) AMOUNTS TO WHICH APPLICABLE.—Any
14 change in an annuity resulting from a recomputation
15 under paragraph (1) shall be effective with respect
16 to amounts accruing for months beginning after the
17 date on which application for such recomputation is
18 made.

19 (c) NOTICE REQUIREMENT.—

20 (1) IN GENERAL.—The Office of Personnel
21 Management shall take such action as may be nec-
22 essary and appropriate to inform individuals entitled
23 to have any annuity recomputed under subsection
24 (b) of their entitlement to such recomputation.

1 (2) ASSISTANCE.—The Office shall, on request,
 2 assist any individual referred to in paragraph (1) in
 3 obtaining from any department, agency, or other in-
 4 strumentality of the United States such information
 5 in the possession of such instrumentality as may be
 6 necessary—

7 (A) to verify the entitlement of such indi-
 8 vidual to have an annuity recomputed under
 9 subsection (b); or

10 (B) to carry out any such recomputation.

11 (3) INFORMATION.—Any department, agency,
 12 or other instrumentality of the United States which
 13 possesses any information with respect to part-time
 14 service performed by an individual shall, at the re-
 15 quest of the Office, furnish such information to the
 16 Office.

17 **SECTION 1. COMPUTATION OF CERTAIN ANNUITIES BASED**
 18 **ON PART-TIME SERVICE.**

19 *Section 8339(p) of title 5, United States Code, is*
 20 *amended by adding at the end the following:*

21 “(3) *In the administration of paragraph (1)—*

22 “(A) *subparagraph (A) of such paragraph shall*
 23 *apply with respect to service performed before, on, or*
 24 *after April 7, 1986; and*

25 “(B) *subparagraph (B) of such paragraph—*

1 “(i) shall apply with respect to that portion
2 of any annuity which is attributable to service
3 performed on or after April 7, 1986; and

4 “(ii) shall not apply with respect to that
5 portion of any annuity which is attributable to
6 service performed before April 7, 1986.”.

7 **SEC. 2. APPLICABILITY.**

8 *The amendment made by this Act shall be effective*
9 *with respect to any annuity, entitlement to which is based*
10 *on a separation from service occurring on or after the date*
11 *of enactment of this Act.*

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