

110TH CONGRESS  
1ST SESSION

# S. 2446

To provide that the Secretary of Homeland Security may waive certain retirement provisions for reemployed annuitants in the Department of Homeland Security, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 11, 2007

Mr. SCHUMER (for himself and Mr. HAGEL) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To provide that the Secretary of Homeland Security may waive certain retirement provisions for reemployed annuitants in the Department of Homeland Security, 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. FEDERAL REEMPLOYED ANNUITANTS IN CER-**  
4                               **TAIN DEPARTMENT OF HOMELAND SECURITY**  
5                               **POSITIONS.**

6       (a) **SHORT TITLE.**—This Act may be cited as the  
7       “Citizenship Processing Backlog Reduction Act of 2007”.

8       (b) **DEFINITIONS.**—In this Act—

1           (1) the term “annuitant” means an annuitant  
2           under a Government retirement system;

3           (2) the term “Government retirement system”  
4           means a retirement system established by law for  
5           employees of the Government of the United State;  
6           and

7           (3) the term “employee” has the meaning  
8           under section 2105 of title 5, United States Code.

9           (c) IN GENERAL.—The Secretary of Homeland Secu-  
10          rity may waive the application of sections 8344 and 8468  
11          of title 5, United States Code (relating to annuities and  
12          pay on reemployment), or any other similar provision of  
13          law under a Government retirement system on a case-by-  
14          case basis for an annuitant reemployed on a temporary  
15          basis—

16                 (1) if, and for so long as, such waiver is nec-  
17                 essary due to an emergency involving a direct threat  
18                 to life or property or other unusual circumstances;  
19                 or

20                 (2) if the annuitant is employed in a position  
21                 that provides—

22                         (A) assistance to the Secretary of Home-  
23                         land Security with a substantial backlog of peti-  
24                         tions for naturalization; or

1           (B) assistance for processing petitions for  
2           naturalization filed during the period beginning  
3           on January 31, 2007, through July 30, 2007.

4           (d) RULE OF CONSTRUCTION.—An annuitant as to  
5           whom a waiver under subsection (c) is in effect shall not  
6           be considered an employee for purposes of any Govern-  
7           ment retirement system.

8           (e) TERMINATION OF AUTHORITY.—The authority of  
9           the Secretary of Homeland Security under subsection  
10          (c)(2) shall terminate on January 1, 2009. An annuitant  
11          to whom a waiver applies under subsection (c)(2) may be  
12          employed for a period of any duration, but not longer than  
13          January 1, 2010.

14          (f) EFFECTIVE DATE.—This Act shall take effect on  
15          the date of enactment of this Act and apply to pay periods  
16          beginning on or after that date.

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