

107TH CONGRESS
1ST SESSION

H. R. 1586

To amend chapter 84 of title 5, United States Code, to make certain temporary Federal service performed for the Federal Deposit Insurance Corporation creditable for retirement purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 25, 2001

Mr. KANJORSKI (for himself, Mr. SHAYS, Mr. SESSIONS, Mr. EVANS, Mrs. MALONEY of New York, Mrs. MINK of Hawaii, Mr. TIERNEY, Mr. McGOVERN, Mr. FRANK, and Mr. DELAHUNT) introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To amend chapter 84 of title 5, United States Code, to make certain temporary Federal service performed for the Federal Deposit Insurance Corporation creditable for retirement 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. SHORT TITLE.**

4 This Act may be cited as the “FERS Federal Deposit
5 Insurance Corporation Buyback Act of 2001”.

1 **SEC. 2. CREDITABILITY OF SERVICE.**

2 (a) IN GENERAL.—Section 8411(b) of title 5, United
3 States Code, is amended—

4 (1) by striking “and” at the end of paragraph
5 (4);

6 (2) by striking the period at the end of para-
7 graph (5) and inserting “; and”; and

8 (3) by inserting after paragraph (5) the fol-
9 lowing:

10 “(6) subject to subsection (k), service as a tem-
11 porary or intermittent employee for the Federal De-
12 posit Insurance Corporation not otherwise creditable
13 for purposes of this chapter, performed after Decem-
14 ber 31, 1988, and before January 1, 2001, of at
15 least 1 year’s duration (whether performed over a
16 continuous period or otherwise), but only if the indi-
17 vidual performing such service later becomes subject
18 to this chapter, and such service is not credited for
19 purposes of any benefit under any other retirement
20 system established by a law of the United States
21 (disregarding the Social Security Act and chapter 83
22 of this title).”.

23 (b) DEPOSIT REQUIREMENT.—Section 8411 of title
24 5, United States Code, is amended by adding at the end
25 the following:

1 “(k)(1) An employee or Member shall, with respect
2 to any service described in subsection (b)(6) performed by
3 such employee or Member, be required to deposit to the
4 credit of the Fund an amount equal to 1.3 percent of basic
5 pay for such service.

6 “(2) Any deposit under paragraph (1) made more
7 than 5 years after the later of—

8 “(A) October 1, 2001, or

9 “(B) the date on which the employee or Mem-
10 ber making the deposit first becomes an employee or
11 Member following the period of temporary or inter-
12 mittent service for which such deposit is due,

13 shall include interest on such amount, computed in the
14 manner described in subsection (f)(3) and compounded
15 annually beginning on the date of the expiration of the
16 5-year period.

17 “(3) If the deposit under paragraph (1) is not made
18 or if less than the entire amount of such deposit is made—

19 “(A) service of the employee or Member de-
20 scribed in subsection (b)(6) shall be fully creditable;
21 but

22 “(B) any annuity under this chapter based on
23 the service of such employee or Member shall be re-
24 duced in a manner similar to that described in sec-
25 tion 8418(b).”.

1 **SEC. 3. PROVISIONS RELATING TO PERSONS WHO HAVE**
2 **SEPARATED.**

3 (a) IN GENERAL.—The Office of Personnel Management
4 shall prescribe regulations under which credit for
5 service, as described in section 8411(b)(6) of title 5,
6 United States Code, as added by this Act, which was per-
7 formed by an individual who has separated from Govern-
8 ment service may be obtained.

9 (b) REQUIREMENTS.—Under the regulations, credit
10 shall not be given under this section unless appropriate
11 written application is submitted, not later than December
12 31, 2001, in such form and manner as the regulations re-
13 quire.

14 (c) RECOMPUTATION OF ANNUITY.—

15 (1) IN GENERAL.—Any annuity or survivor annuity
16 payable as of when an application under this
17 subsection is submitted shall be recomputed to take
18 into account any service described in section
19 8411(b)(6) of title 5, United States Code (performed
20 by the individual on whose service the annuity is
21 based), effective with respect to amounts accruing
22 for months beginning more than 30 days after the
23 date on which such application is submitted.

24 (2) CONDITION.—If the full amount of the de-
25 posit required under section 8411(k) of such title 5
26 is not timely made (before such deadline as the Of-

1 fice shall by regulation prescribe) with respect to
2 any service as to which the application under para-
3 graph (1) relates, an appropriate reduction shall be
4 made in the recomputed annuity in accordance with
5 paragraph (3) of such section 8411(k). Interest shall
6 not be included as part of any deposit under this
7 subsection.

8 SEC. 4. NOTIFICATION AND OTHER DUTIES OF THE OFFICE
9 OF PERSONNEL MANAGEMENT.

10 (a) NOTICE.—The Office of Personnel Management
11 shall take such action as may be necessary and appro-
12 priate to inform individuals of any rights they might have
13 as a result of the enactment of this Act.

14 (b) ASSISTANCE.—The Office shall, on request, assist
15 any individual in obtaining from the Federal Deposit In-
16 surance Corporation any information in the possession of
17 such corporation which may be necessary to verify the en-
18 titlement of such individual to have any service credited
19 under section 8411(b)(6) of title 5, United States Code,
20 as added by this Act, or to have an annuity recomputed
21 under section 3(c).

22 (c) INFORMATION.—At the request of the Office, the
23 Federal Deposit Insurance Corporation shall provide any
24 information with respect to an individual's performance of

- 1 any service described in such section 8411(b)(6) to the
- 2 Office.

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