

108TH CONGRESS
1ST SESSION

H. R. 1509

To make clear that a person who voluntarily separates from the Federal civil service does not remain subject to the enforcement provisions of subchapter III of chapter 73 of title 5, United States Code, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 31, 2003

Mr. TOM DAVIS of Virginia (for himself and Mr. WOLF) introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To make clear that a person who voluntarily separates from the Federal civil service does not remain subject to the enforcement provisions of subchapter III of chapter 73 of title 5, United States Code, 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. TO MAKE CLEAR THAT A PERSON WHO VOLUN-**
2 **TARILY SEPARATES FROM THE FEDERAL**
3 **CIVIL SERVICE DOES NOT REMAIN SUBJECT**
4 **TO THE ENFORCEMENT PROVISIONS OF THE**
5 **HATCH ACT.**

6 (a) IN GENERAL.—No Federal employee or indi-
7 vidual who voluntarily separates from the civil service (in-
8 cluding by transferring to an international organization in
9 the circumstances described in section 3582(a) of title 5,
10 United States Code) shall be subject to enforcement of the
11 provisions of section 7326 of such title (including any loss
12 of rights under subchapter IV of chapter 35 of such title
13 resulting from any proceeding under such section 7326),
14 except that this section shall not apply in the event that
15 such employee or individual subsequently becomes reem-
16 ployed in the civil service. The preceding sentence shall
17 apply to any complaint which is filed with or pending be-
18 fore the Merit Systems Protection Board after the date
19 of the enactment of this Act.

20 (b) DEFINITIONS.—For purposes of this section—

21 (1) the term “Federal employee or individual”
22 means any employee or individual, as referred to in
23 section 7326 of title 5, United States Code;

24 (2) the term “civil service” has the meaning
25 given such term by section 2101 of title 5, United
26 States Code; and

1 (3) the term “international organization” has
2 the meaning given such term by section 3581 of title
3 5, United States Code.

4 **SEC. 2. LIMITATION ON DISCLOSURE OF CERTAIN**
5 **RECORDS.**

6 (a) IN GENERAL.—Notwithstanding any other provi-
7 sion of law, rule, or regulation, nothing described in para-
8 graph (2) or (3) of use “q” of the proposed revisions pub-
9 lished in the Federal Register on July 12, 2001 (66 Fed.
10 Reg. 36613) shall be considered to constitute a routine
11 use of records maintained by the Office of Special Counsel.

12 (b) DEFINITIONS.—For purposes of this section, the
13 terms “routine use” and “record” have the respective
14 meanings given such terms under section 552a(a) of title
15 5, United States Code.

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