

Suspend the Rules and Pass the Bill, H.R. 4431, With Amendments

(The amendments strike all after the enacting clause and insert a new text and a new title)

115TH CONGRESS
1ST SESSION

H. R. 4431

To amend title 5, United States Code, to provide for interest payments by agencies in the case of administrative error in processing certain annuity deposits for prior military service.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 16, 2017

Mr. CARTER of Georgia (for himself, Mr. JODY B. HICE of Georgia, Mr. BANKS of Indiana, Mrs. RADEWAGEN, Mr. MEADOWS, Mrs. HANDEL, Mr. HIGGINS of Louisiana, Mr. GOMEZ, and Mr. WELCH) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 5, United States Code, to provide for interest payments by agencies in the case of administrative error in processing certain annuity deposits for prior military service.

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. SHORT TITLE.**

2 This Act may be cited as the “Correcting Miscalcula-
3 tions in Veterans’ Pensions Act”.

4 **SEC. 2. ERROR IN PROCESSING OF ANNUITY DEPOSIT FOR**
5 **FORMER MEMBERS OF THE UNIFORMED**
6 **SERVICES.**

7 (a) CSRS.—Section 8334(j) of title 5, United States
8 Code, is amended by adding at the end the following:

9 “(6)(A) In calculating and processing the deposit
10 under paragraph (1) with respect to an employee, Mem-
11 ber, or annuitant, if the employing agency of such em-
12 ployee, Member, or annuitant makes an administrative
13 error, such employing agency may pay, on behalf of the
14 employee, Member, or annuitant, any additional interest
15 assessed due to the administrative error.

16 “(B) For purposes of subparagraph (A), the Sec-
17 retary of the Senate or the Chief Administrative Officer
18 of the House of Representatives, as appropriate, shall be
19 considered the employing agency of a Member or Congres-
20 sional employee.

21 “(C) The Director of the Office of Personnel Manage-
22 ment shall issue such regulations as are necessary to carry
23 out this paragraph.”.

24 (b) FERS.—Section 8422(e) of title 5, United States
25 Code, is amended by adding at the end the following:

1 “(7)(A) In calculating and processing the deposit
2 under paragraph (1) with respect to an employee, Mem-
3 ber, or annuitant, if the employing agency of such em-
4 ployee, Member, or annuitant makes an administrative
5 error, such employing agency may pay, on behalf of the
6 employee, Member, or annuitant, any additional interest
7 assessed due to the administrative error.

8 “(B) For purposes of subparagraph (A), the Sec-
9 retary of the Senate or the Chief Administrative Officer
10 of the House of Representatives, as appropriate, shall be
11 considered the employing agency of a Member or Congres-
12 sional employee.

13 “(C) The Director of the Office of Personnel Manage-
14 ment shall issue such regulations as are necessary to carry
15 out this paragraph.”.

16 **SEC. 3. ERROR IN PROCESSING OF ANNUITY DEPOSIT FOR**
17 **CERTAIN VOLUNTEERS.**

18 (a) CSRS.—Section 8334(l) of title 5, United States
19 Code, is amended by adding at the end of the following:

20 “(5)(A) In calculating and processing the deposit
21 under paragraph (1) with respect to an employee, Mem-
22 ber, or annuitant, if an employing agency of such em-
23 ployee, Member, or annuitant makes an administrative
24 error that causes additional interest assessed to accrue on
25 the deposit, the employing agency may pay, on behalf of

1 the employee, Member, or annuitant, any additional inter-
2 est assessed due to the administrative error.

3 “(B) In calculating and processing the deposit under
4 paragraph (1) with respect to an employee, Member, or
5 annuitant, if the Office of Personnel Management makes
6 an administrative error that causes additional interest as-
7 sessed to accrue on the deposit, the Office of Personnel
8 Management may pay, on behalf of the employee, Member,
9 or annuitant, any additional interest assessed due to the
10 administrative error.

11 “(C) For purposes of subparagraph (A), the Sec-
12 retary of the Senate or the Chief Administrative Officer
13 of the House of Representatives, as appropriate, shall be
14 considered the employing agency of a Member or congres-
15 sional employee.

16 “(D) The Director of the Office of Personnel Man-
17 agement shall issue such regulations as are necessary to
18 carry out this paragraph.”.

19 (b) FERS.—Section 8422(f) of title 5, United States
20 Code, is amended by adding at the end of the following:

21 “(5)(A) In calculating and processing the deposit
22 under paragraph (1) with respect to an employee, Mem-
23 ber, or annuitant, if an employing agency of such em-
24 ployee, Member, or annuitant makes an administrative
25 error that causes additional interest assessed to accrue on

1 the deposit, the employee, Member, or annuitant's employ-
2 ing agency may pay, on behalf of the employee, Member,
3 or annuitant, any additional interest assessed due to the
4 administrative error.

5 “(B) In calculating and processing the deposit under
6 paragraph (1) with respect to an employee, Member, or
7 annuitant, if the Office of Personnel Management makes
8 an administrative error that causes additional interest as-
9 sessed to accrue on the deposit, the Office of Personnel
10 Management may pay, on behalf of the employee, Member,
11 or annuitant, any additional interest assessed due to the
12 administrative error.

13 “(C) For purposes of subparagraph (A), the Sec-
14 retary of the Senate or the Chief Administrative Officer
15 of the House of Representatives, as appropriate, shall be
16 considered the employing agency of a Member or congres-
17 sional employee.

18 “(D) The Director of the Office of Personnel Man-
19 agement shall issue such regulations as are necessary to
20 carry out this paragraph.”.

21 (c) AUTHORIZATION OF PAYMENTS.—All payments
22 from the Office of Personnel Management authorized by
23 subsections (a) and (b) shall be paid from the Civil Service
24 Retirement and Disability Fund, and together with admin-
25 istrative expenses incurred by the Office in administering

- 1 these subsections, shall be deemed to have been authorized
- 2 to be paid from that Fund, which is appropriated for the
- 3 payment thereof.

Amend the title so as to read: “A bill to amend title 5, United States Code, to provide for interest payments by agencies in the case of administrative error in processing certain annuity deposits for prior military service or certain volunteer service, and for other purposes.”.