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100TH CONGRESS
2D SESSION

H. R. 4958

To amend chapters 83 and 84 of title 5, United States Code, to expedite the processing of applications of Federal employees seeking retirement benefits, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 1988

Mr. BONKER (for himself, Mr. ROYBAL, Mrs. MORELLA, Mr. BENNETT, Mr. WALGREEN, Mr. ANNUNZIO, Mr. GRAY of Illinois, Mr. YATES, Mr. McMILLEN of Maryland, Mr. MORRISON of Washington, Mr. LANTOS, Miss SCHNEIDER, Mr. HORTON, Mr. OWENS of New York, Mr. DE LA GARZA, Mr. ROE, Mr. BOSCO, Mrs. BOXER, Mr. HARRIS, Mr. MORRISON of Connecticut, Mr. LOWRY of Washington, Mr. BERMAN, Mr. DICKS, Mr. LEHMAN of California, Mr. OBEY, Mr. DYMALLY, Mr. BEREUTER, Mr. FAUNTROY, Mr. LANCASTER, Mr. COELHO, Mr. DWYER of New Jersey, Mr. DELLUMS, Mr. TOWNS, Mr. HAMMERSCHMIDT, Mr. WHEAT, Mr. GOODLING, Mr. WISE, Mrs. LLOYD, Mr. ROBINSON, Mr. GARCIA, Mr. FROST, Mr. SCHUETTE, Mr. SABO, Mr. SYNAR, Mr. TALLON, Mr. FRANK, Mr. BOUCHER, Mr. SMITH of Florida, Mr. RIDGE, Mr. EDWARDS of California, Mr. SHUMWAY, Mr. FLORIO, Mr. CLEMENT, Ms. SNOWE, Mr. KOLTER, Mr. FAWELL, Mr. BATEMAN, Mr. BIAGGI, Mr. ARMEY, Mr. DOWNEY of New York, and Mr. LELAND) introduced the following bill; which was referred to the Committee on Post Office and Civil Service

A BILL

To amend chapters 83 and 84 of title 5, United States Code, to expedite the processing of applications of Federal employees seeking retirement benefits, 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. SHORT TITLE.**

2 This Act may be cited as the "Federal Retirement Ap-
3 plications Processing Act of 1988".

4 **SEC. 2. PROCESSING OF FEDERAL RETIREMENT APPLICA-**
5 **TIONS.**

6 (a) **CIVIL SERVICE RETIREMENT SYSTEM.—**

7 (1) **IN GENERAL.—**Chapter 83 of title 5, United
8 States Code, is amended by inserting after section
9 8347 the following:

10 **"§ 8347a. Processing of applications**

11 "(a) An agency shall, within 180 days after the date on
12 which an employee begins service with such agency (other
13 than on a temporary or other similar basis), take appropriate
14 measures to ensure that the employee's personnel file con-
15 tains all relevant information concerning any previous em-
16 ployment or military service which would be needed for pur-
17 poses of any determination relating to such employee's rights
18 under this chapter.

19 "(b) Whenever an employee notifies an agency of an
20 intention to separate from service, such agency shall—

21 "(1) inform such employee of any retirement
22 counseling and other related services or resources
23 available to such employee; and

24 "(2) take appropriate measures to ensure that, in
25 the case of any employee who would be entitled to an
26 immediate annuity based on such employee's age and

1 service as of the date of such employee's proposed date
2 of retirement under section 8335 or 8336 of this title,
3 all information and records needed for any agency cer-
4 tification, documentation, or other action required in
5 the processing of an application for such annuity are
6 complete and accurate.

7 All measures required under paragraph (2) with respect to an
8 employee shall be initiated—

9 “(A) upon receipt of the notification of intent to
10 separate, when such notification is furnished at least 4
11 months, but not earlier than 12 months, in advance, or

12 “(B) if the notification of intent to separate is fur-
13 nished later than 4 months before the proposed separa-
14 tion date, as soon after the receipt of such notification
15 as possible,

16 so that all such measures can be completed and any certifica-
17 tion, documentation, or other matter required from the
18 agency will be furnished to the Office no later than 30 days
19 after the date of the employee's separation or submission of
20 application for annuity, whichever is later.

21 “(c) Whenever an employee applies for an annuity under
22 section 8337 of this title through such employee's employing
23 agency, all measures described in subsection (b)(2) of this sec-
24 tion shall be completed by the employing agency, and all cer-
25 tification, documentation, or other matter required from the

1 agency shall be furnished to the Office no later than 30 days
2 after the date on which the employee submits the application.

3 “(d)(1) The Office shall compile aggregate records on a
4 quarterly basis on—

5 “(A) the number of applications for retirement
6 under section 8335, 8336, or 8337 of this title
7 received by the Office from each agency;

8 “(B) of the total number under subparagraph
9 (A)—

10 “(i) to the extent that section 8335 or 8336
11 of this title is involved, how many (expressed as a
12 number and as a percentage) were received by the
13 Office—

14 “(I) before the 31st day after the date
15 of separation or application, whichever is
16 later;

17 “(II) after the 30th day but before the
18 61st day after the date of separation or ap-
19 plication, whichever is later; and

20 “(III) after the 60th day after the date
21 of separation or application, whichever is
22 later; and

23 “(ii) to the extent that section 8337 of this
24 title is involved, how many (expressed as a
25 number and as a percentage) applications (accom-

1 panied by preliminary retirement records) were
2 received by the Office—

3 “(I) before the 31st day after the date
4 of application;

5 “(II) after the 30th day but before the
6 61st day after the date of application; and

7 “(III) after the 60th day after the date
8 of application; and

9 “(C) of the total number under subparagraph
10 (A)—

11 “(i) to the extent that section 8335 or 8336
12 of this title is involved, how many (expressed as a
13 number and as a percentage) could not be proc-
14 essed by the Office due to incomplete information
15 or lack of necessary certification or other docu-
16 mentation required to be provided by the agency;
17 or

18 “(ii) to the extent that section 8337 of this
19 title is involved, how many (expressed as a
20 number and as a percentage) could not be proc-
21 essed by the Office due to incomplete information
22 or lack of necessary certification or other docu-
23 mentation required to be provided by the agency.

24 “(2) The Office shall—

1 “(A) prepare a report on a quarterly basis on the
2 performance of each agency, as determined under para-
3 graph (1) of this subsection; and

4 “(B) send a copy of each such report to the head
5 of each agency.

6 “(3)(A) No later than 30 days after receiving a report
7 under paragraph (2)(B), each agency described in subpara-
8 graph (B) of this paragraph shall—

9 “(i) prepare a corrective action plan specifying ac-
10 tions to bring such agency into conformance with the
11 provisions of this subsection; and

12 “(ii) send such plan to the Inspector General of
13 such agency (or, if such agency does not have an In-
14 spector General, the officer designated to perform the
15 functions of Inspector General within such agency).

16 “(B) This paragraph applies with respect to any agency,
17 the percentage for which in any quarter is—

18 “(i) less than 90 percent for the figure reported
19 under paragraph (1)(B)(i)(I) or (1)(B)(ii)(I) of this sub-
20 section; or

21 “(ii) greater than 10 percent for the figure re-
22 ported under clause (i) or (ii) of paragraph (1)(C) of this
23 subsection.

24 “(C) The Inspector General (or officer performing the
25 functions of Inspector General, if applicable) of the agency

1 shall review any corrective action plan submitted to such In-
2 spector General (or officer) under this paragraph and provide
3 such assistance as appropriate to assist such agency in
4 achieving conformance with the provisions of this subsection.

5 “(4) No later than April 30 of each year, the Office shall
6 submit a report to the Congress on—

7 “(A) the speed, accuracy, and completeness with
8 which agencies have provided the Office with the
9 records, certifications, and other matters required in
10 order to process applications for annuities under section
11 8335, 8336, or 8337 of this title; and

12 “(B) the average number of days from the date
13 that the Office receives an application and supporting
14 documentation—

15 “(i) for an annuity based on section 8335 or
16 8336 of this title, until the Office’s authorization
17 of the first annuity payment for those cases that
18 are determined by the Office to be complete
19 enough to initiate the payment process; and

20 “(ii) for an annuity based on section 8337 of
21 this title, until the Office’s authorization of the
22 first annuity payment for those cases that are de-
23 termined by the Office to be complete enough to
24 initiate the payment process.”.

1 “(2) CHAPTER ANALYSIS.—The analysis for
2 chapter 83 of title 5, United States Code, is amended
3 by inserting after the item relating to section 8347 the
4 following:

 “8347a. Processing of applications.”.

5 (b) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—

6 (1) IN GENERAL.—Chapter 84 of title 5, United
7 States Code, is amended by inserting after section
8 8466 the following:

9 “§ 8466a. Processing of applications

10 “(a) An agency shall, within 180 days after the date on
11 which an employee begins service with such agency (other
12 than on a temporary or other similar basis), take appropriate
13 measures to ensure that the employee’s personnel file con-
14 tains all relevant information concerning any previous em-
15 ployment or military service which would be needed for pur-
16 poses of any determination relating to such employee’s rights
17 under this chapter.

18 “(b) Whenever an employee notifies an agency of an
19 intention to separate from service, such agency shall—

20 “(1) inform such employee of any retirement
21 counseling and other related services or resources
22 available to such employee; and

23 “(2) take appropriate measures to ensure that, in
24 the case of any employee who would be entitled to an
25 immediate annuity based on such employee’s age and

1 service as of the date of such employee's proposed date
2 of retirement under section 8412, 8414, or 8425 of
3 this title, all information and records needed for an
4 agency certification, documentation, or other action re-
5 quired in the processing of an application for such an-
6 nuity are complete and accurate.

7 All measures required under paragraph (2) with respect to an
8 employee shall be initiated—

9 “(A) upon receipt of the notification of intent to
10 separate, when such notification is furnished at least 4
11 months, but not earlier than 12 months, in advance, or

12 “(B) if the notification of intent to separate is fur-
13 nished later than 4 months before the proposed separa-
14 tion date, as soon after the receipt of such notification
15 as possible,

16 so that all such measures can be completed and any certifica-
17 tion, documentation, or other matter required from the
18 agency will be furnished to the Office no later than 30 days
19 after the date of the employee's separation or submission of
20 application for annuity, whichever is later.

21 “(c) Whenever an employee applies for an annuity under
22 section 8451 of this title through such employee's employing
23 agency, all measures described in subsection (b)(2) of this sec-
24 tion shall be completed by the employing agency, and all cer-
25 tification, documentation, or other matter required from the

1 agency shall be furnished to the Office no later than 30 days
2 after the date on which the employee submits the application.

3 “(d)(1) The Office shall compile aggregate records on a
4 quarterly basis on—

5 “(A) the number of applications for retirement
6 under section 8412, 8414, 8425, or 8451 of this title
7 received by the Office from each agency;

8 “(B) of the total number under subparagraph
9 (A)—

10 “(i) to the extent that section 8412, 8414, or
11 8425 of this title is involved, how many (ex-
12 pressed as a number and as a percentage) were
13 received by the Office—

14 “(I) before the 31st day after the date
15 of separation or application, whichever is
16 later;

17 “(II) after the 30th day but before the
18 61st day after the date of separation or ap-
19 plication, whichever is later; and

20 “(III) after the 60th day after the date
21 of separation or application, whichever is
22 later; and

23 “(ii) to the extent that section 8451 of this
24 title is involved, how many (expressed as a
25 number and as a percentage) applications (accom-

1 panied by preliminary retirement records) were
2 received by the Office—

3 “(I) before the 31st day after the date
4 of application;

5 “(II) after the 30th day but before the
6 61st day after the date of application; and

7 “(III) after the 60th day after the date
8 of application; and

9 “(C) of the total number under subparagraph
10 (A)—

11 “(i) to the extent that section 8412, 8414, or
12 8425 of this title is involved, how many (ex-
13 pressed as a number and as a percentage) could
14 not be processed by the Office due to incomplete
15 information or lack of necessary certification or
16 other documentation required to be provided by
17 the agency; or

18 “(ii) to the extent that section 8451 of this
19 title is involved, how many (expressed as a
20 number and as a percentage) could not be proc-
21 essed by the Office due to incomplete information
22 or lack of necessary certification or other docu-
23 mentation required to be provided by the agency.

24 “(2) The Office shall—

1 “(A) prepare a report on a quarterly basis on the
2 performance of each agency, as determined under para-
3 graph (1) of this subsection; and

4 “(B) send a copy of each such report to the head
5 of each agency.

6 “(3)(A) No later than 30 days after receiving a report
7 under paragraph (2)(B), each agency described in subpara-
8 graph (B) of this paragraph shall—

9 “(i) prepare a corrective action plan specifying ac-
10 tions to bring such agency into conformance with the
11 provisions of this subsection; and

12 “(ii) send such plan to the Inspector General of
13 such agency (or, if such agency does not have an In-
14 spector General, the officer designated to perform the
15 functions of Inspector General within such agency).

16 “(B) This paragraph applies with respect to any agency,
17 the percentage for which in any quarter is—

18 “(i) less than 90 percent for the figure reported
19 under paragraph (1)(B)(i)(I) or (1)(B)(ii)(I) of this sub-
20 section; or

21 “(ii) greater than 10 percent for the figure report-
22 ed under clause (i) or (ii) of paragraph (1)(C) of this
23 subsection.

24 “(C) The Inspector General (or officer performing the
25 functions of Inspector General, if applicable) of the agency

1 shall review any corrective action plan submitted to such In-
2 spector General (or officer) under this paragraph and provide
3 such assistance as appropriate to assist such agency in
4 achieving conformance with the provisions of this subsection.

5 “(4) No later than April 30 of each year, the Office shall
6 submit a report to the Congress on—

7 “(A) the speed, accuracy, and completeness with
8 which agencies have provided the Office with the
9 records, certifications, and other matters required in
10 order to process applications for annuities under section
11 8412, 8414, 8425, or 8451 of this title; and

12 “(B) the average number of days from the date
13 that the Office receives an application and supporting
14 documentation—

15 “(i) for an annuity based on section 8412,
16 8414, or 8425 of this title, until the Office’s au-
17 thorization of the first annuity payment for those
18 cases that are determined by the Office to be
19 complete enough to initiate the payment process;
20 and

21 “(ii) for an annuity based on section 8451 of
22 this title, until the Office’s authorization of the
23 first annuity payment for those cases that are de-
24 termined by the Office to be complete enough to
25 initiate the payment process.”.

1 (2) CHAPTER ANALYSIS.—The analysis for chap-
2 ter 84 of title 5, United States Code, is amended by
3 inserting after the item relating to section 8466 the
4 following:

“8466a. Processing of applications.”.

5 (c) FORM OF APPLICATIONS UNDER CHAPTER 84.—
6 Section 8466 of title 5, United States Code, is amended by
7 adding at the end the following:

8 “(d) Applications under this chapter shall be in such
9 form as the Office prescribes. Agencies shall support the ap-
10 plications by such certificates as the Office considers neces-
11 sary to the determination of the rights of applicants.”.

12 **SEC. 3. RETIREMENT COUNSELING.**

13 Section 8350 of title 5, United States Code, is amended
14 by adding at the end the following:

15 “(d)(1) No less than twice each year, the retirement
16 counselor or designee of each agency shall conduct retire-
17 ment counseling seminars for all interested employees (in-
18 cluding employees within the meaning of chapter 84).

19 “(2) Such seminars shall include an explanation and
20 review of—

21 “(A) the retirement processing functions of the
22 agency and the Office of Personnel Management, re-
23 spectively;

24 “(B) the application which the employee is re-
25 quired to complete and any certification or documents

1 which are required to be submitted to the Office before
2 annuity payments may begin, including written infor-
3 mation designed to assist employees in the expeditious
4 completion of such applications;

5 “(C) specific circumstances which may complicate
6 and lengthen the amount of time needed to process an
7 application; and

8 “(D) methods to assist employees in solving po-
9 tential problems to complete the required retirement
10 documentation.”.

11 **SEC. 4. EFFECTIVE DATE.**

12 The amendments made by this Act shall be effective 6
13 months after the date of the enactment of this Act.



469
H. R. 4950

COMMENT SHEET

OCA 2300-88

STAT TO:
Office of Congressional Affairs
FROM: Compensation, Automation, and Planning/OP
STAT

SUBJECT: S. 2469, Federal Retirement Applications Processing Act of 1988

Subject bill has been reviewed by the Office of Personnel and our position is as follows:

- No objection.
- Continue monitoring/OP interest.
- No CIA equities.
- Seek CIA exemption.
- Advise OP when enacted.
- Comments.

This bill establishes procedures aimed at speeding up the retirement process so that retirees may receive their first annuity check in a timely manner.

The bill requires OPM to compile information on the number, completeness, and timeliness of applications for retirement under CSRS and FERS submitted by each agency to OPM. Based on this information, OPM shall submit an annual report to Congress on the compliance of agencies regarding the completeness and timeliness of retirement applications the agencies have submitted. Since the DCI has been granted the authority to administer all retirement systems with respect to Agency employees, the Agency no longer submits any retirement applications to OPM. However, if this bill is enacted, the Agency would be bound to comply with the timeliness and completeness requirements. Our compliance would be monitored through OPM's audits of Agency retirement records.

STAT

7 July 1988
Date

Name Signed