

Mr. INSLEE changed his vote from “nay” to “yea.”

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

GAO PERSONNEL FLEXIBILITY ACT OF 2000

Mr. BURTON of Indiana. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4642) to make certain personnel flexibilities available with respect to the General Accounting Office, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4642

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. VOLUNTARY EARLY RETIREMENT AUTHORITY.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—Effective for purposes of the period beginning on the date of enactment of this Act and ending on December 31, 2003, paragraph (2) of section 8336(d) of title 5, United States Code, shall, with respect to officers and employees of the General Accounting Office, be applied as if it had been amended to read as follows:

“(2)(A) has been employed continuously by the General Accounting Office for at least the 31-day period immediately preceding the start of the period referred to in subparagraph (D);

“(B) is serving under an appointment that is not time limited;

“(C) has not received a notice of involuntary separation, for misconduct or unacceptable performance, with respect to which final action remains pending; and

“(D) is separated from the service voluntarily during a period with respect to which the Comptroller General determines that the application of this subsection is necessary and appropriate for the purpose of—

“(i) realigning the General Accounting Office’s workforce in order to meet budgetary constraints or mission needs;

“(ii) correcting skill imbalances; or

“(iii) reducing high-grade, managerial, or supervisory positions;”.

(b) FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.—Effective for purposes of the period beginning on the date of enactment of this Act and ending on December 31, 2003, subparagraph (B) of section 8414(b)(1) of title 5, United States Code, shall, with respect to officers and employees of the General Accounting Office, be applied as if it had been amended to read as follows:

“(B)(i) has been employed continuously by the General Accounting Office for at least the 31-day period immediately preceding the start of the period referred to in clause (iv);

“(ii) is serving under an appointment that is not time limited;

“(iii) has not received a notice of involuntary separation, for misconduct or unacceptable performance, with respect to which final action remains pending; and

“(iv) is separated from the service voluntarily during a period with respect to which the Comptroller General determines that the application of this subsection is necessary and appropriate for the purpose of—

“(I) realigning the General Accounting Office’s workforce in order to meet budgetary constraints or mission needs;

“(II) correcting skill imbalances; or

“(III) reducing high-grade, managerial, or supervisory positions;”.

(c) NUMERICAL LIMITATION.—Not to exceed 10 percent of the General Accounting Office’s workforce (as of the start of a fiscal year) shall be permitted to take voluntary early retirement in such fiscal year pursuant to this section.

(d) REGULATIONS.—The Comptroller General shall prescribe any regulations necessary to carry out this section, including regulations under which an early retirement offer may be made to any employee or group of employees based on—

(1) geographic area, organizational unit, or occupational series or level;

(2) skills, knowledge, or performance; or

(3) such other similar factors (or combination of factors described in this or any other paragraph of this subsection) as the Comptroller General considers necessary and appropriate in order to achieve the purpose involved.

SEC. 2. VOLUNTARY SEPARATION INCENTIVE PAYMENTS.

(a) IN GENERAL.—Effective for purposes of the period beginning on the date of enactment of this Act and ending on December 31, 2003, the authority to provide voluntary separation incentive payments shall be available to the Comptroller General with respect to employees of the General Accounting Office.

(b) TERMS AND CONDITIONS.—The authority to provide voluntary separation incentive payments under this section shall be available in accordance with the provisions of subsections (a)(2)–(e) of section 663 of the Treasury, Postal Service, and General Government Appropriations Act, 1997, as contained in Public Law 104–208 (5 U.S.C. 5597 note), except that—

(1) subsection (a)(2)(D) of such section shall be disregarded;

(2) subsection (a)(2)(G) of such section shall be applied by construing the citations therein to be references to the appropriate authorities in connection with employees of the General Accounting Office;

(3) subsection (b)(1) of such section shall be applied by substituting “Committee on Government Reform” for “Committee on Government Reform and Oversight”;

(4)(A) subsection (b)(2)(A) of such section shall be applied by substituting “eliminated (if any)” for “eliminated”;

(B) subsection (b)(2)(C) of such section shall be applied by substituting “such positions or functions as are to be eliminated and such employees as are to be separated” for “the eliminated positions and functions”; and

(c) the agency strategic plan referred to in subsection (b) of such section shall, in addition to the information described in paragraph (2) thereof, contain the following: the steps to be taken to realign the General Accounting Office’s workforce in order to meet budgetary constraints or mission needs, correct skill imbalances, or reduce high-grade, managerial, or supervisory positions;

(5) subsection (c)(1) of such section shall be applied by substituting “to the extent necessary (A) to realign the General Accounting Office’s workforce in order to meet budg-

etary constraints or mission needs, (B) to correct skill imbalances, or (C) to reduce high-grade, managerial, or supervisory positions, in conformance with that agency’s strategic plan (as referred to in subsection (b)).” for the matter following “only”;

(6) subsection (c)(2)(D) of such section shall be applied by substituting “December 31, 2003, or the end of the 3-month period beginning on the date on which such payment is offered to such employee, whichever is earlier” for “December 31, 1997”; and

(7) instead of the amount described in paragraph (1) of subsection (d) of such section, the amount required under such paragraph shall be determined in accordance with subsection (c)(1) of this section.

(c) ADDITIONAL CONTRIBUTION TO RETIREMENT FUND.—

(1) DETERMINATION OF AMOUNT REQUIRED.—The amount required under this paragraph shall be the amount determined under subparagraph (A) or (B), whichever is greater, for the fiscal year involved.

(A) FIRST METHOD.—The amount required under this subparagraph shall be determined as follows:

(i) First, determine the sum of the following:

(I) The amount equal to 19 percent of the final basic pay of each employee described in paragraph (2) who takes early retirement under section 8336(d) of title 5, United States Code.

(II) The amount equal to 58 percent of the final basic pay of each employee described in paragraph (2) who retires on an immediate annuity under section 8336 of such title 5 (not including any employee covered by subclause (I)).

(ii) Second, reduce the sum of the amounts determined under clause (i) by the sum of the following (but not below zero):

(I) The amount equal to 419 percent of the final basic pay of each employee described in paragraph (2), who is covered by subchapter III of chapter 83 of title 5, United States Code, and who resigns.

(II) The amount equal to 17 percent of the final basic pay of each employee described in paragraph (2) who takes early retirement under section 8414(b) of such title 5.

(III) The amount equal to 8 percent of the final basic pay of each employee described in paragraph (2) who retires on an immediate annuity under section 8412 of such title 5.

(IV) The amount equal to 211 percent of the final basic pay of each employee described in paragraph (2), who is covered by chapter 84 of such title 5, and who resigns.

(B) SECOND METHOD.—The amount required under this subparagraph shall be equal to 45 percent of the final basic pay of each employee described in paragraph (2).

(2) COMPUTATIONS TO BE BASED ON SEPARATIONS OCCURRING IN THE FISCAL YEAR INVOLVED.—The employees described in this paragraph are those employees who receive a voluntary separation incentive payment under this section based on their separating from service during the fiscal year involved.

(3) REGULATIONS.—

(A) IN GENERAL.—The Office of Personnel Management shall prescribe any regulations necessary to carry out this subsection, including provisions under which any additional contribution determined under this subsection shall, at the election of the General Accounting Office, be payable either in a lump sum or through installment payments made over a period of not to exceed 3 years.

(B) INTEREST.—The regulations shall include provisions under which, if the installment method is chosen, interest shall be