

AMENDMENT TO H.R. 572
OFFERED BY MR. CHAFFETZ OF UTAH

At the end of the bill, add the following new section:

1 **SEC. 5. INELIGIBILITY OF PERSONS HAVING SERIOUSLY**
2 **DELINQUENT TAX DEBTS FOR FEDERAL EM-**
3 **PLOYMENT.**

4 (a) IN GENERAL.—Chapter 73 of title 5, United
5 States Code, is amended by adding at the end the fol-
6 lowing:

7 “SUBCHAPTER VIII—INELIGIBILITY OF PER-
8 SONS HAVING SERIOUSLY DELINQUENT
9 TAX DEBTS FOR FEDERAL EMPLOYMENT
10 “§ 7381. Ineligibility of persons having seriously de-
11 linquent tax debts for Federal employ-
12 ment

13 “(a) DEFINITION.—For purposes of this section—
14 “(1) the term ‘seriously delinquent tax debt’
15 means an outstanding debt under the Internal Rev-
16 enue Code of 1986 for which a notice of lien has
17 been filed in public records pursuant to section 6323
18 of such Code, except that such term does not in-
19 clude—

“SUBCHAPTER VIII—INELIGIBILITY OF PERSONS HAVING SERIOUSLY
DELINQUENT TAX DEBTS FOR FEDERAL EMPLOYMENT

“7381. Ineligibility of persons having seriously delinquent tax debts for Federal
employment.”.



AMENDMENT OFFERED BY Mr. Towns
TO THE AMENDMENT OFFERED BY Mr. Chaffetz

In section 7381(a)(1) of title 5, United States Code,
as proposed to be added by the amendment—

- (1) strike “and” at the end of subparagraph (A);
- (2) redesignate subparagraph (B) as subparagraph (C); and
- (3) insert after subparagraph (A) the following new subparagraph:

1 (B) a debt with respect to which a levy has
2 been issued under section 6331 of such Code
3 (or, in the case of an applicant for employment,
4 a debt with respect to which the applicant
5 agrees to be subject to a levy issued under such
6 section); and

In section 7381(a)(2)(A) of title 5, United States
Code, as proposed to be added by the amendment, strike
“employee, as defined by section 2105” and insert “em-
ployee of an Executive agency”.

In section 7381(b) of title 5, United States Code, as
proposed to be added by the amendment, strike “An indi-

vidual” and insert “Subject to the regulations prescribed under subsection (c), an individual”.

Amend section 7381(c) of title 5, United States Code, as proposed to be added by the amendment, to read as follows:

1 (c) REGULATIONS.—The Office of Personnel Man-
2 agement shall, for purposes of carrying out this section
3 with respect to the executive branch, prescribe any regula-
4 tions which the Office considers necessary, except that
5 such regulations shall provide for the following:

6 (1) Any applicable provision of this title which
7 provides due process for applicants and employees,
8 including section 7513, shall apply with respect to
9 the determination that an applicant or employee is
10 ineligible to be appointed, or to continue serving, as
11 a Federal employee under this section.

12 (2) An individual shall be given a reasonable
13 amount of time to demonstrate that the individual’s
14 debt is described in subparagraph (A), (B), or (C)
15 of subsection (a)(1).

16 (3) An individual may continue to serve as a
17 Federal employee, as determined on a case-by-case
18 basis, in situations of financial hardship if such con-

1 tinued employment is in the best interest of the
2 United States.

